FOREWORD BY *Denise LeBoeuf*
AFTERWORD BY *Asim Qureshi*

The Man Who Refused to Plead Guilty

How a Muslim Convicted of Terrorism Won His Freedom

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“In the US, almost everyone accused of terrorism, whatever their guilt, accepts a plea deal rather than fight in courts that are stacked against defendants. Uzair Paracha insisted on his innocence. After twenty years in prison, he was finally vindicated. This is his remarkable story.”

—Arun Kundnani, author of *What is Antiracism? And Why it Means Anticapitalism*

“An incredibly important, moving account of a fight for justice and a young man’s life—brutalized by the mechanics of the so-called ‘war on terror’ and carceral systems, and rebuilt by the strength of his convictions.”

—Saba Imtiaz, author and researcher

“A powerful, unforgettable account of courage under impossible pressure, revealing the lawlessness and cruelty of the post-9/11 world. I knew Uzair Paracha before I ever met him, through his father, Saifullah Paracha, who lived beside me in Guantánamo, a father and teacher to all of us. The United States crushed him to break his son. A family paid the price for truth. This is essential, first-hand testimony, exposing hostage taking, coerced confessions, and psychological warfare dressed as law.”

—Mansoor Adayfi, former Guantánamo detainee and author of *Don’t Forget Us Here*

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Foreword

Denise LeBoeuf

I met Uzair Paracha for the first time in Karachi, in June 2024, four years after his release from American prisons. I was there in part to see his father, who had been released from Guantanamo a year and a half earlier. It had been my good fortune to meet with Saifullah Paracha several times in Guantanamo, where I worked as a defense lawyer in the military commissions, and visited a number of detainees.

Although I had not met Uzair, I was familiar with his case, as were all the lawyers and legal team members of the relatively small defender bar that pushed back against the cruel excesses of the U.S. response to 9/11. The outline of Uzair's story was stark: arrested in March 2003 when he was in his early 20s, convicted of terrorism-related offenses and sentenced to thirty years. After many years in some of America's worst prisons, a federal judge reversed his conviction as a "manifest injustice" and eventually Uzair was repatriated to Pakistan. His case remains the only one where evidence from Guantanamo helped free a wrongfully convicted US prisoner.

His father was the oldest prisoner in Guantanamo, and a remarkable man. He was beloved by the other prisoners for his kind nature and his fatherly care for them. He patiently gave English lessons to the other detainees and counseled them to rely on Allah when the frustrations of endless detention grew too hard to bear. Like so many of the 780 men and boys held over the years in Guantanamo, he was never charged, never tried, and finally released without an apology or compensation.

Uzair was raised in New York and Pakistan, and at the age of twenty-three was a recent graduate of Pakistan's most prestigious business school. He hoped to continue to assist his father in the family's successful international import business, and had every reason to be confident that his permanent residence status in the US would allow him frequent trips to

New York, like the one in March 2003. Instead, based on lies extracted under torture in Guantanamo and other Black Sites, Uzair, and then his father, were charged with helping Al-Qaeda.

There never was any real evidence, and the false statements of the tortured informants themselves, as well as their subsequent vehement retractions, were hidden or ignored. Even the publication of the Senate Torture Report in late 2012, clearly finding that any number of statements obtained under torture were provably false, did not result in an immediate review of either Paracha's case, or other prisoners in similar situations. Uzair's triumph in federal court came more than nine years after its publication.

Uzair never came to Guantanamo, although he was persistently threatened with being sent there when he was seized. That, in fact, was and remains part of the power of the illegitimate forever prison of Guantanamo: the power of a fear that you can be sent someplace where even US law can't help you. Uzair acknowledges that he met with the FBI in part because they told him if he did not cooperate, they would send him to a legal black hole —Guantanamo. That name, and the lawless cruelty it stands for, is still being used to intimidate today, as uncharged migrants are sent there. Further, the idea of Guantanamo persists in the erection of other detention facilities, like "Alligator Alcatraz," repeating the Guantanamo formula: remote location, indifference to the law and confinement based on the flimsiest of accusations, without proof or due process.

Instead of Guantanamo, Uzair did time in some of the worst prisons in the United States, starting with the notoriously grim Special Housing Unit ("SHU") at the MCC in New York. Civil rights organizations sued the prison and high-ranking government officials for the deliberate abuse of Muslim prisoners during the time Uzair was there, held in solitary confinement for 3 years. After his shocking conviction and sentence of thirty years, Uzair was sent to the infamous H unit in ADX: the worst placement in arguably the worst prison. He spent a total of 6 years under SAMs, the diabolical "Special" measures designed to completely isolate prisoners and destroy their dignity and any hope of rehabilitation. Many

more years at ADX followed, then a transfer to Terre Haute, and finally back to MCC before Uzair won his freedom in 2020.

So, this book you hold is a valuable addition to the genre of prison memoir. It should be read by all who work to highlight the inhumanity of the US prison system—the ways in which deeply rooted race prejudice has permitted the custodians of prisons and jails to deny medical care, serve inadequate and inedible food and turn a blind eye to brutality from inmates and guards. It is an unsparing (and unself-pitying) account of the myriad ways that prisoners in the US are mistreated, the ways in which Uzair and others sought to resist the total loss of self and the particular evils of Islamophobia layered on to an already wretched and failing carceral system. But it is more than that.

Before I worked for prisoners on Guantanamo and became aware of the injustices of the so-called “war on terror,” I was a legal defender in the South, working mostly to defend prisoners condemned to death or accused facing the death penalty at trial. So Uzair’s prison memoir should be read as a valuable addition to the accounts of prisoners, exonerees, advocates and journalists. The United Nations minimum rules for the treatment of prisoners are known as the Mandela rules, and the name alone should remind us all that a prison may contain noble souls, that one needn’t be one to merit respect, as well as the recognition of simple human dignity.

Beginning with his time in the MCC, Uzair dispassionately recounts inedible food—so inadequate that prisoners became dangerously malnourished and underweight—deliberate sleep deprivation and verbal, psychological and physical abuse. Then there were the guards Uzair calls “the Haters,” who refused to provide Qurans and other religious items, who played loud music on the radio during prayer times and who whispered or shouted abusive Islamophobic insults, believing they were being “patriotic.” Indeed, consulting with other prisoners and advocates toward the end of his long incarceration, Uzair notes that he experienced every form of extraordinary oppression in jail and prison: pre-trial and post-conviction solitary confinement, forced feedings during hunger strikes to protest conditions, ADX Supermax, pre-trial and post-conviction Special

Administrative Measures (SAMs) and the infamous special housing units, SHU, Unit H and CMU.

Two aspects of unconstitutional mistreatment followed Uzair from New York to Florence, Colorado and beyond: the use of prolonged solitary confinement and the refusal to allow family visits. Both are universally regarded as impermissible, and most international law scholars agree that both constitute cruel, inhuman and degrading treatment, forbidden by longstanding treaties to which the United States is a party.

Uzair's misery was worsened at all times by the knowledge that his beloved family in Pakistan were suffering not only his absence, but his father's detention in Guantanamo. The eldest son and the father of the family were gone, and incommunicado for a good length of time. Although Uzair had family members living in the US, who might have lessened his anxiety and provided support for him before his trial, he was not allowed to even telephone them, nor were they permitted to visit for many months. Uzair was subjected to SAMs at the complete discretion of the prosecution, which severely restricted the family members he could talk to, and the length of their visits. For example, cousins are not considered close family — tell that to most big Asian families! And, of course, thousands of miles away, Uzair's father was held in Guantanamo, which has never permitted family visits for prisoners.

The most difficult passages for me detail the harms of solitary confinement. There are no good reasons for prolonged solitary confinement, and both international and US custodial officials have known this for many years. Human beings, as Uzair poignantly tells us, need human connection. His mental and physical health deteriorate so markedly that eventually the prison puts him on medication. For years after he was dealing with the side effects and learning to relate to people all over again once he was returned to population. At one point, after years in a cell, his headaches and eyesight are so bad he sees a doctor, who explains that solitary confinement is the cause. The human eye is meant to adjust from short range to long range vision several times during the day. But, when your horizon is the wall of a cell eight feet away, your eyes stop working properly.

The real gift of this memoir is the story of how Uzair survived, and that is the story of his faith. Instead of giving in to despair and rage, Uzair dived into Islam. He sought help from other Muslims in prison, and set himself a difficult project—learning to memorize the Quran. He succeeded, and credits that effort with saving his sanity in solitary confinement. He became a teacher and a light to other Muslims prisoners, as well as, once he was sent into population in Colorado and later Terre Haute, to prisoners who were not Muslim. As many prisoners have told me, the Muslims in prison set an example of dignity, cleanliness and purpose, attracting converts in the prison and eliciting admiration from guards. Meanwhile, thousands of miles away, the behavior of the all-Muslim population in Guantanamo occasioned similar wonder and surprise among the guards and some of the defense bar too, which also resulted in some conversions.

The other astonishing strength Uzair possessed was his belief in the truth of his innocence. He persisted in stating that truth even when the government offered him a get-out-of-jail-now plea bargain. I was reminded of a Florida case from the 80s, where the state admitted that the condemned man was innocent, but to save face required him to plead to something minor and be released for time served—essentially the same deal Uzair was offered. That prisoner said, “So when I told the truth, they put me on Death Row, and now if I tell a lie they’ll set me free?” The Florida prisoner agreed, but Uzair refused. I have to say, had I been one of Uzair’s lawyers, I no doubt would have joined them and his family in urging him to plead and come home. It must have taken an unbelievable inner strength. But, after all his refusals, the government finally just dismissed the charges.

Which brings us to that Karachi dinner table in June 2024. It was quite a gathering. I had traveled with two longtime colleagues, Dr. Asim Qureshi, a dedicated advocate for victims of the so-called War on Terror, and Saba Imtiaz, a researcher and journalist who had authored a lengthy Guardian piece in 2018 questioning the basis for the imprisonment of both Uzair and Saifullah Paracha. The younger Paracha brother was still getting used to the happiness of having his father and brother home after nearly two decades of unjust imprisonment. And while it was wonderful to be in a room with

Saifullah when he was not under guard or restrained, and to meet Uzair, let no one think their freedom was without cost. On occasion, someone will say of an exoneration “well, that proves the system works.” This system doesn’t work. The Parachas lost their business, their financial stability and decades of their lives.

The United States loses too. As a nation, we continue to inflict unconscionable cruelty on prisoners, with almost no consequences. For many years this was possible because the system of post-slavery incarceration and convict leasing made the authorities— white Americans —inured to the realities of extremely harsh punishments. It is in part the reason the US retained the death penalty when postwar Europe, and now most of Africa, have abolished it in fact or by law.

Then came 9/11, and the authorities said that terrorists were less than human, not deserving of even the inadequate protections of US law. And while Islamophobia and racism against Black Americans remains, now migrants or “narco-terrorists” are deemed “the worst of the worst” by American authorities, with inhumane treatment justified.

Uzair’s book, and his triumph, as well as the story of his father and so many men and boys released from Guantanamo after decades without charges or legal process, make us look at the transcendent humanity of those my country so grievously harmed. That astonishing transcendence is what will stay with you when you finish reading.

Denny LeBoeuf is a retired capital defense attorney based in New Orleans, Louisiana. She was the Director of the American Civil Liberties Union’s John Adams Project, assisting the capitally charged detainees on Guantanamo in the military commissions, and was formerly the Director of the ACLU’s Capital Punishment Project and the Director of the Louisiana Capital Post-Conviction Project of Louisiana.

PART I

Dismantling Dreams

1

Perhaps the first sign of a privileged but troubled life was my birth itself. I was told that it was a tumultuous beginning, with a navel infection sending me back to the hospital a week after I was born. My mother used to tell me that as soon as the cold needle of the syringe touched my newly born backside, I knew what was coming and would voice my protest in the only way that babies know how.

Born in Pakistan, I was less than a month old when my parents went back to New York for my father's business. After a little bit of back and forth, I faintly remember my preschool years.

I remember living in a big house with my uncles, aunts and cousins, rolling down the hilly front yard of our next-door neighbor—much to their irritation. I remember taking my time with breakfast while one of my older cousins would rush downstairs at the last minute, gulp his cereal and rush out. Life was unfair back then, it seemed, because I was younger and slower. I remember Mrs. Brody waiting in front of our house in Queens to take me to school. I also remember my mother picking us up from school and the excitement of getting ice cream on Union Turnpike on the way home.

I also have a faint but significant memory from 1985. When I was five years old, my parents told me we were moving to Pakistan. I wanted to stay in that big house with all our relatives. But when I voiced my objection, my parents told me they wanted me and my sister to grow up in Pakistan. Another change of scenery.

"Why?" I asked.

"Because you need to be more in touch with our Pakistani heritage."

"Like what?"

“Well, for instance, you can’t even speak proper Urdu.”

“Yes, I can,” I objected.

“No, you can’t even say yogurt correctly in Urdu.”

In response I tried to say it properly and failed yet again (*dhaee*). In the days and weeks that led up to our move back, relatives would amuse themselves by asking me why we were moving to Pakistan. I would gravely tell them it was because I couldn’t say *dahee* correctly.

And so it was, we were starting a new life yet again, living in a nice apartment on the Karachi beach, with a view of the Arabian Sea. I can’t remember thinking that this adjustment was difficult. My parents tell me I got admissions into three schools, and that they wanted me to pick which one I went to. I opted for the one that offered karate lessons. Unfortunately for me, they stopped giving lessons the same year I joined.

The school system in Pakistan was more competitive and they had a ranking system whether you were first, second, third, tenth or forty-third in class. The average class had around forty-five students, and this all-boys school was best known for being particular about discipline. Beatings were normal, with a slap on the face or a wooden ruler, a steel ruler or, if you really messed up, a bamboo stick on the hands at the principal’s office. Like most guys in my class I had my taste of all the above and grew up in a very strict environment.

I remember spending school mornings waiting for the bus with my father while he threw the ball and I would always bat, even after I was out. But I also remember at the end of first grade coming twelfth in class and feeling quite proud of myself until I got home. Asian parents. Like most parents on this side of the world, mine also expected me to be among the top 10 percent and so I tried to push myself to avoid their disappointment. I guess I was smart enough, but I never liked to study.

Picture a kid with a big head and nerdy glasses, prone to getting nosebleeds and always getting into clumsy accidents. Parent–teacher meetings were usually boring and uneventful until the fifth grade.

One of the popular jocks in class was always getting into trouble while he sat with some of his friends in class. One day our teacher had had enough and told him to change seats with my neighbor so he could sit next to me and be in better company. Instead, he brought out my own hidden potential to get into trouble and I went from that nerdy-looking, boring guy to that nerdy-looking guy with the smart mouth always getting into trouble.

One time, when I was in the seventh or eighth grade, I was with one of my teachers getting my work signed off by her and I congratulated her. She asked me, what for? And I pointed to the ring on her finger. Then I went back and asked her if it was an engagement ring or a wedding ring. Instead of telling me it was none of my business, she told me it was an engagement ring. I asked her if she would invite me to her wedding, and she asked me if I would attend her wedding if she invited me. She belonged to the Parsi community, who are a small religious minority belonging to a pre-Islamic religion from the time of the Persian empire. They didn't really mix much with outsiders. I promised her that if she invited me, I would definitely show up. Not long after that conversation, she summoned me and handed me a wedding invitation card and, as per my word, I attended the wedding of my English teacher who is now the principal of my alma mater. Spending my early years in the American school system helped build confidence into my personality.

I don't look back and see myself in school as one of the cool kids. I wasn't a jock, but I was fluent in English and familiar with American culture, which made me seem a little exotic in the eyes of the other kids. In the 1990s, Guns N' Roses was one of my favorite bands, but I was into all types of genres. I once heard something that resonated with me: asking which is my favorite song is like asking a parent what child they love the most. Music was my drug of choice and my cassette and CD collections were fairly large. A shop in the neighborhood that would burn songs onto CDs would charge me extra because I would ask for songs most people had never heard of. I was really into music and, in my teenage years, I was the guy who knew about all the new songs and Hollywood movies because I

went to New York to meet my relatives and recharge my coolness, although even then I still very much looked the nerd.

Since I came from a business family, I had been learning to make money since I was a little kid. I would go to the US and buy toys to bring back to Pakistan and enjoy for around ten months. Then I would sell them for a modest profit and have some cash to take back for our next trip and my next purchase. As I got older, I started doing summer jobs, which was a common thing in America but unheard of in our privileged circles in Pakistan. And because the dollar was worth a lot more in Pakistani rupees, it was a very lucrative plan.

After my mid-teens it was time to graduate to the next level. High school in Pakistan is ten grades. Then we have two years of intermediate college before anyone goes on to an actual college or university. After that summer, I moved on to intermediate college and it was a whole new world for me. The all-boys' disciplinarian style was replaced with a co-ed institution that was nothing compared to what I was used to. My wit made me popular in school. The teachers seemed to like me and I was one of the popular kids in class. Pakistani traffic laws are not so heavily enforced and many of my friends used to drive without a license. While some of my classmates thought I was always studying, my friends knew better because I was always hanging out with them. My secret was that, despite my antics, I was paying attention in class.

* * *

In intermediate college, I met a girl. I first saw her in a crowded hallway, smiling, and I thought to myself, I want to be the one she is smiling at. As time passed and things became more serious between us, I was learning to grow up—in fact, unsure about whether or not I wanted to pursue a college education, I was leaning towards a "no" until she told me that I needed a degree in hand before I could convince her parents that I was worthy of their daughter. Asian parents. That was my first realization that I needed to think about my future more seriously.

After intermediate college finals, my friends wanted to tour the country that summer, but my family was visiting New York for the vacations. I needed to get a summer job to have some serious spending money. It took me about a month to find the type of work that could minimize my expenses. I found a job at a gas station that hired me off the books seven days a week, ten hours a day, and I was walking distance from the relatives I was staying with. I cleaned toilets, swept and mopped floors, emptied trash cans, filled gas, did inventory, painted the property, cleaned the windshields and made plenty in salary and tips. I made my target and then it was time to go back and study for my college entrance tests.

I know I wasn't the smartest out of my friends, but I wanted to join them as we all prepared for one of the most reputable business schools in the country, the Institute of Business Administration (IBA), much like Harvard in the US. My scores weren't nearly as good as the rest of the class in practice tests, and that was enough of a sign for me to keep my expectations low. I thought, maybe I could get into one of their other programs.

The first admission tests they had were for the business school, in which they were going to take 70 students out of 4,000 applicants. Much to everyone's surprise, including my own, I passed.

It was a time of heightened anxiety for me because I was starting to feel a growing distance between myself and my friends. I had studied for it, but I never put any hopes in this first attempt because it was a long shot. After passing the test, I found out that it was a partial scholarship program with half our fees paid for by the school, and it was the most prestigious program the school had to offer.

When I got home that day, I told my mother in the most indifferent voice that I had made the list. My mother was excited and called my father, who wanted to take the entire country out to dinner.

I messed up in the beginning of the interview, but when I was handed a dirt-cheap pen and asked to make a sales pitch, I won them over. Like I said, I came from a business family. I knew how to make a sale. As we made it to the final list, we became celebrated achievers—we had our

pictures taken, and we listened to speeches meant to prepare us for the road ahead. Meanwhile, my father was going around telling people his son got into IBA and it started to sink in that something good had happened. Something the entire family was proud of.

2

> When I was a boy of 14, my father was so ignorant I could hardly stand to have the old man around. But when I got to be 21, I was astonished at how much the old man had learned in seven years.
>
> Attributed to Mark Twain

My physics teacher in tenth grade had advised us that we wouldn't get along with our fathers from the time we turned 16 until we turned 20. It seemed to apply to me.

As far as many people in the family were concerned, when I was still a teenager, I didn't look like I was going to amount to much, while my father started from a small Pakistani village and built a thriving business on 5th Avenue in midtown Manhattan in his thirties. Then there was his eldest son, who was clearly unremarkable, full of teenage angst, with a sense of privilege, oblivious of the life his father was providing for him. But now I was leaving my teens, and things between me and my father were also starting to enter a mature stage. And getting into a good school showed them I had some potential.

They used to say that IBA was hard to get into but easy once you get in. Whoever said that should have been sued for false advertising. I came from a good school, but I was around the cream of Pakistan from some of the best schools in the country. I was way out of my depth, having come from an antiquated curriculum. In the third year someone in my class told me that if I spent as much energy on my studies as I did on music, I would be one of the best students in the class.

The bachelor's degree was a three-year accelerated program with a one-year master's program, and it was only during my master's that I had a

chance to be on a level playing field with the rest of the class. I even became the first one among my cousins to get a master's degree.

As I was growing up in the 1980s and 1990s, our family was also going through certain phases. My father had a successful travel agency in New York when we moved to Pakistan in the mid-1980s. He tried to start a few businesses in Pakistan but business in Pakistan is in no way easy and it was only in the mid-1990s that things started to stabilize. He bought the entire top floor of an office building on one of the most famous streets in Karachi, with a nice view from his corner office overlooking different parts of the city. I used to visit the office all the time. I was blessed both in my personal life and our family situation.

The author Laurence J. Peter wrote in *Peter's Quotations: Ideas for Our Time*, "By the time a man realizes that his father was usually right, he has a son who thinks he's usually wrong."* I didn't have any kids, but when I corrected my little brother on punctuality, responsibility, the need to fulfill commitments and other aspects of growing up, my mother would tell me that she was seeing me say the same things to him that she once used to see my father say to me.

As I was leaving my teenage years and growing out of my teenage angst, my relationship with my parents was starting to mature. My father would ask my opinion on business matters and I would sometimes ask my mother for relationship advice. Things between me and my father used to go through ups and downs until he asked me to get involved in the family business in my second year at university. The more I got involved in the business, the more we had a chance to get to know each other and to build our own relationship. I would sometimes check on my father while I was leaving class, and if he told me he was at McDonald's or Dunkin' Donuts with the rest of the family I would join them to spend a little family time together.

For our bachelor's program, I was accepted for an internship at Unilever, one of the largest multinational companies in the world. I was fortunate to be one of twenty people to be chosen among the thousands that had applied from all over the country. During my master's program a

friend’s wife asked me if I would be interested in a job where she was working. Instead, I asked for an internship as part of my master’s program requirement. She was working at J. Walter Thompson, which back then was one of the oldest and largest advertising agencies in the world. I went in for an interview and they hired me on the spot. Things had come a long way from my troubled teenage years due to many blessings that kept coming my way.

In hindsight, it all feels like a newly designed plane that took years of painstaking planning and sleepless nights, setbacks and unexpected breakthroughs, anxieties and fears about the future, until it seemed that there was a possibility of hope.

I received offers for a few job opportunities from banks, multinationals and some big businesses, but starting a family and putting kids through school wouldn’t have been affordable unless I was working for myself. At the same time, I didn’t want to join my father’s business because I wanted to be independent. So, he was on the lookout for something he could help me start on my own.

Growing up, I was aware that my father had met some very important people in his life. We had a picture of him meeting General Zia-ul-Haq in the 1980s when he was the head of the country. We also knew that my father knew the Sharif family well and had been to their home on a few occasions. They were one of the two strongest political families in Pakistan, with prime ministers and chief ministers among them.

In the 1990s my father went to Afghanistan as part of a business delegation that was invited by the Taliban government, and when he came back he told us that some of the guests in the group had been invited for a special dinner; when he arrived there, he was surprised to meet one of the most controversial figures in the world, Osama bin Laden. This was still the 1990s, so he was nowhere near as well known as he became in the twenty-first century. After 9/11 we would talk about that incident with nervous smiles as Osama bin Laden became a household name.

A business acquaintance of my father’s mentioned someone he knew named Sher Afzal, who was in construction and real estate development

and was going through tough times. My father's friend suggested that he could arrange a meeting between us where we could find some opportunities to work together.

When Sher Afzal came to the meeting, he saw a picture on the wall with my father standing next to the mayor of Karachi. He asked my father how well he knew the mayor and asked if my father could introduce them. It was a test. When my father took him to meet the mayor the man felt confident about presenting some business plans for around fifteen food streets all over the city, the largest of which was supposed to be on a five-kilometer (a little over three miles) strip of land on the beach. He also wanted to build and reopen the long-shuttered aquarium and undertake other projects in the city. My father was very excited for me, and I was cautiously optimistic.

Sher Afzal also mentioned that he had a partnership in a construction project named Cliftonia, which had been stalled for eight years because of financial carelessness by the other partners. Sher Afzal wanted my father to finish construction of the project against a share in the building. Again my father wanted to help me take on this project so that he could set me on the right track.

I had other plans. When my father offered a 5 percent commission on apartment sales, I saw a chance to save enough for myself. I could help my father out and stay involved in whatever else there was, but I needed to start my own thing.

In one conversation, I told him that I didn't fully trust his partners and didn't want to work with them and might stay out of it. My father's response was the ultimate weapon of emotional blackmail that all South Asian parents are experts at: your love for them. He said if you feel they can't be trusted, then why are you leaving me to deal with these people on my own. I was defeated.

My father was heavily involved in the different projects but whenever he asked me to take on a specific task, I would take care of it. My father wanted me to present one proposal to the mayor myself. This wasn't the first time I had met the mayor with my father, but I was usually doing a lot more listening than talking. I was still trying to learn and didn't want to

make a fool of myself in front of the mayor of one of the largest cities in the world. But my father asked me about my silence. That's probably why he wanted me to take the lead this time. So, we had a nice colorful layout mapped out with what we had in mind and I placed it on the coffee table in his office. I sat across from the mayor and started my pitch, but he cut me off and in a fatherly gesture he asked me to come and sit next to him and told me to continue.

Karachi has been taken advantage of time and time again by the rich and powerful. At that time, it was rumored to have half of all the registered vehicles in the country, even though it only averaged around 10 percent of the population. Karachi comprised a third of the country's economy and the rich and powerful were always trying to exploit it. All these issues made the mayor especially sensitive to those who wanted to take advantage, because he was well known as an honest and sincere government servant who wanted to do good things for the city. But my father and the mayor had a strong relationship built on trust and he wanted to work with us.

* * *

Pakistan went through many changes after 9/11. The government's support in the American War on Terror brought violence across Pakistan, with many casualties from constant bombings and assassinations in government buildings and against security officials. Karachi had seen a lot of criminal violence before, but it had never been as bad as it became after the American invasion of Afghanistan.

I remember one of my cousins in Karachi was fascinated when he saw some American news sites talk about someone's dog dying in a fire in one neighborhood and someone vandalizing a stop sign in another. That type of stuff didn't even make it into our news. In Karachi, a typical newspaper had no shortage of reports of death and destruction.

We were living in a world that was dealing with America's War on Terror that had focused on Afghanistan next door, and plans to invade Iraq soon were also filling the news. Within its borders the US government was

cracking down on undocumented immigrants and those who had overstayed their visas. They saw this as an easy way to clean house, even though it had very little to do with the actual problem of terrorism. Many people who had been working in America for years, and who had accumulated wealth, were also being sent back because of their immigration status. There were others who started feeling uncomfortable and unwelcome, and all these people were moving out of the US, with some of them coming back to Pakistan.

This was one of the reasons why the real estate market in Pakistan was booming. In this environment it seemed like a good idea to start marketing these apartments to Pakistanis in America. We prepared some fancy brochures and made a television ad. Then it was decided that I needed to go to New York and work from there for a few months. Once the ads started running, I would begin to manage a local office from there.

I had been to New York many times after we had moved to Pakistan. My father used to have a travel agency, so in the beginning it was easy to get free tickets. Even from my early childhood, I have memories of going to Universal Studios, Disneyland, the Philippines, Thailand, Japan, Britain, Canada, Saudi Arabia, France, Italy, the Netherlands and probably other countries that I don't even remember as I was just a kid.

I had many such memorable experiences of travel to different countries, my father more than the rest of us. After we moved to Pakistan, yearly visits to New York were a regular feature. When he sold the travel agency, free tickets became harder to come by, but we still tried to visit every other year or so.

When I turned fifteen, I went to New York alone and worked for my uncle at his office in Manhattan as a summer job. Another summer I got a job at a store in front of Macy's in midtown Manhattan and later at the Village in downtown Manhattan. By the time I did the summer job at the gas station I was comfortable finding my way around New York through the public transport system.

During the last weeks of school, I was sitting in my father's office with one of his friends, who happened to be a medical doctor. During the conversation, I mentioned to his friend that since I was about to finish my

education, I wanted to memorize the Muslim holy book, the Holy Quran. This desire had been germinating in my head for many years.

There are millions of Muslims all over the world, including Pakistan, who have memorized the entire Quran, and most Muslims (including myself) were raised knowing at least a few chapters of it to make the daily prayers. Growing up, I knew many people including friends and family who had memorized the entire Quran from cover to cover, so it wasn't an unknown thing, but it was a highly respectable thing to do, and to someone who had not done it, memorizing an entire book in a foreign language was a daunting task.

Most kids finished it in their early years, some at under ten years old. But at the time I said this to my father's doctor friend, I was about to graduate from university. He suggested otherwise. Most people in Pakistan who memorize don't understand a word of it because they don't speak Arabic. He suggested that I instead memorize some important chapters and learn enough Arabic to understand the Quran. I liked the suggestion, but I don't know how I planned on doing it because I was burying myself deep in my work.

After I came home from my last exam, which ended late in the evening, I was such a combination of exhaustion and relief that my mother said I looked like I had just got out of jail. With that sense of urgency about getting settled always on my mind, I went to the office with my father the next morning. My father gave me some advice: He told me that I should travel and see the world for a month or so—that I had my whole life ahead of me to start my work life and build a career. It was a loving gesture that I was grateful for, but I couldn't afford any more delays. At the time, I still had plans to buy an engagement ring and get settled, and by then it didn't feel right going off to enjoy the world all alone.

My father was also busy trying to line up investors, and he met someone who was from Baluchistan, an area a few hours west of our city. My father wanted to introduce me to him. We never had a chance to meet but I met his nephew, Mustafa, who visited more often.

It was common knowledge that there were rich tribal Baluchis from Baluchistan. It was also very common for them to do their dealings in cash. Pakistan is still a cash-based society, and it was easy to see why they would want to invest in a real estate development project such as ours.

During those days the feeling that I was going through was a general sense of “the moment we’ve all been waiting for” that all college students start feeling as they get near graduation: the anxiety of going out into the unknown world, the anticipation of new expectations to prove ourselves as individuals able to contribute something valuable to society.

In early January, right before my twenty-third birthday, our university had a comprehensive exam which was a separate requirement to qualify for the degree. It covered everything we had learned so far, a mother of all tests that had all our subjects combined in one. The results of the comprehensive exam were expected to take some time, but as my grades from all my other subjects came out it was a relief to see that I was done.

As my time at the university was ending, we started preparing for the project. We were working on the bid for the city projects, including the food streets, parks and aquarium, while I was making preparations for my trip to New York, where I would oversee things.

Meanwhile, my father’s investor friend’s nephew, Mustafa, came for another visit, and during the conversation he mentioned a friend of his who was a US resident who was having some problems going back home. I offered to meet his friend to see if I could help him out. His name was Majid Khan and he seemed like a nice guy, around the same age as me. He had lived in America with his family for many years. He got married to a Pakistani girl on a previous trip and came back to visit his wife. When he found out that she was pregnant with their first child he stayed longer than he had originally planned and he didn’t have the document he needed to return back to the US. He thought that the Immigration and Naturalization Service (INS) had sent it to his locker or that someone would have to call the INS and ask what was going on with it. He wanted immigration officials to think that he was still in America, so he asked me if I could call them from New York pretending to be him. He handed me some of his IDs and a

paper with some information and instructions and I told him I would see what I could do. I expected that the INS would not be okay with someone calling their office pretending to be someone else, but how serious could it really be even if they did find out?

I took a flight in the third week of February, and I felt the experience was different from all the previous times I had visited the US. There was a lot of extra security and added checkposts even at the airport in Karachi, just because the flight was going to America. It was a similar situation during my stopovers at Doha airport and Heathrow airport in London.

I rushed from one gate to another at Heathrow, but I still missed my flight and had to catch a later one. While waiting for the next flight, I wanted to use the bathroom and asked someone to keep an eye on my stuff. When I came back, they told me that airport security were suspicious about my luggage in my absence. They were worried that someone had left an explosive device and walked away. Time and time again the Western experience of a post-9/11 world was showing its new normal.

Given the stark difference in the two places, I should have expected a visible change in everything connected to America. The Citibank office in Karachi had more barriers in 2002 than even the American consulate in Karachi used to have in the 1990s. I wonder how most Americans would feel if for just a week they could be transported to the free society they had before September 11, 2001. I wonder if they realize how much of a suspicious, invasive security state it has become and how it has made people inside and outside America more stressed and paranoid in this new world. “If you see something, say something,” signs were everywhere. The subway stations and other public places now had cops always tensely looking around like surveilling robots. Even the post offices wouldn’t let people go to certain sections of their building without a valid ID.

While flying over the Atlantic Ocean, I remember saying to myself that I had finished my regular education to nurture my mind, and now it was time for some religious education to nurture my soul. I was becoming a little spiritual, and I meant it in the sense that I wanted to find time to learn more about being a better Muslim. I meant it in the sense of my life going

forward in a general sense, but I never expected that any of it would happen during this particular trip, because I only intended to establish the office, sell enough apartments to fund the construction of the project and fly back. My return ticket for Qatar Airways was valid for around four months.

I arrived at Newark airport when the snow in New Jersey was at record levels. As soon as I arrived, I got busy trying to register a company and get the business started. I decided to spend a weekend with my aunt and uncle in their quiet suburban Connecticut home. She wanted to go watch a movie and we visited the mall later. In the evenings I was catching up on things with my relatives, and during the day I was setting up shop at my father's business partner Charles's office. He had been my father's partner for many years, but since most of their communication was over the phone or during his rare business trips, I mostly knew Charles from the stories my father used to share. Their relationship was based on friendship, mutual respect and admiration. My father suggested that that would be the best place to work from. He felt that as a young Muslim in post-9/11 America, Charles would be protective of me. I would start late in the morning and sometimes finish around midnight. Within a few weeks we were open for business. Then we started running ads on cable channels for Pakistanis in the US and Canada and were getting calls from potential homeowners.

My father seemed to be missing me a lot because he called me everyday and just wanted me to set up a fully functioning staff to manage things in New York and join him in Karachi. As busy as I was, I was really missing everyone back home. Me and my father had become pretty close and my mother had also become a dear friend. In fact, both my parents had become my confidants whose advice I used to seek in moments of uncertainty.

Meanwhile, back home everyone else in my class was getting job offers from banks and multinational corporations. Some companies, such as Citibank, also called to ask about me, but my family told them I was already working.

My father would call every day and seemed less interested in talking about work and more about how he missed having me around and wanted me to join him back home. Since I was planning on visiting New York more

often, we felt I should also get my own place. My father suggested a house close to our relatives in Long Island, but I thought a small apartment within the city would make the commute easier.

I might not have identified as an American since I was born and had completed most of my education in Karachi, but after all the time I had spent in New York I considered myself a New Yorker in a sense and had felt some attachment. I knew the city, the streets and sidewalks, but the presence of the security state was everywhere. In government buildings, even in the subways or other public spaces, authority figures were always asking for identification and restricting movement. It felt like a less free society than I remembered.

Eventually I called the INS for Majid Khan and tried to get some information. They told me I would have to come to their office and speak to someone in person to get any real answers.

* Laurence J. Peter, *Peter's Quotations: Ideas for Our Time* (New York, New York: William Morrow, 1977), p. 74.

3

We received a couple of investments, and I was supposed to treat some of my cousins to ice cream. My father told me that Charles was having some cash flow issues with his business, so he asked me to give the investment money to Charles for a couple of weeks until some receivables came in. I went to Charles's office and gave him a check for a couple of weeks. He was very thankful for the unexpected help.

The next day was a relatively slow Friday, and I was looking forward to a weekend with some relatives. It was getting late in the evening, and I was supposed to leave for the gym, when I noticed that Charles came into the office late Friday evening when he was supposed to be home for the Sabbath. I also noticed he had some other people with him while I was trying to wind things up.

They kept walking in and out of his room for a few minutes until two people came over to my cubicle and flashed their badges. I noticed their guns under their jackets. They introduced themselves as an NYPD detective and a special agent for the FBI. They said they wanted to ask me a couple of questions, and when we sat down in the conference room the man asked me to turn my phone off.

Was this about the songs I had downloaded from Napster a few days ago? I kept wondering what this could possibly be about. We sat in the conference room and they started asking me some mundane questions about the purpose of my visit, details about the business I was running, where I was staying and basic stuff about my family. Then they asked me if I knew someone named Majid Khan. I could feel myself turning red right away, but I denied it. You tell yourself that it is a little immigration matter for a deserving person, what's the worst that can happen? But when you are sitting in a room halfway around the world from the system you've grown

up in, even an unreturned library book feels like a capital offense in front of people with badges and guns.

I‘m sure they saw it on my face because after a few more mundane questions the detective asked me if we could continue with some questions in their offices. I asked what would happen if I said no or if I needed a lawyer; he said that I could refuse, but they would wonder why and they would find other ways to make sure that I did cooperate with them. I remembered about my father’s belief in his partner and felt that I should seek his advice as to whether I should go or not or if I should get a lawyer. I walked over to Charles’s office and asked, “Can I speak to you for a minute?” With a disturbed look on his face, he said, “Don’t talk to me right now.” I didn’t know what to do and I didn’t know if I had any choice except to go the easy way or the hard way.

I grabbed my coat and tried to say goodnight to the woman who used to work in the cubicle next to mine, but she didn’t even turn around. She once wanted to set me up with her daughter until I politely told her I wasn’t available. At that time she was disappointed and wanted to know how serious it was. She was probably having second thoughts that evening though.

When we went down the elevator and out into the street it was already dark outside, and I noticed that there were multiple cars and more people than I realized. We drove to the FBI building in downtown Manhattan and they put me in a small room with three chairs and a small table bolted to the wall and floor. I was seated in the chair behind the table away from the door with a large window behind me. The door was open, but it wouldn’t have made a difference since there were people with guns everywhere, and even if I decided to run to the elevator how would I pass through security in the lobby? And even if I did leave the building, where would I go? These guys didn’t bring all these cars to get me just so I could leave whenever I wanted.

Speaking of the many cars, why did they have so many cars? I never bothered to know the difference between the FBI and the NYPD, but didn’t they have something better to do than investigate some guy’s immigration issue?

After being seated, the interrogators left me with someone who stood at the door while they had to go make some calls for twenty to thirty minutes. Their designated babysitter wanted to strike up a conversation and was full of advice on how cooperative I needed to be, “You need to be smart and tell these people everything they need to know,” “The sooner you start cooperating, the sooner you can get out of here,” and other nuggets of wisdom to make the interrogators’ job as easy as possible.

When the interrogators came back, they repeated many of their mundane questions for a little while, but then they circled back to Majid Khan. Specifically, they asked me about his driver’s license. After my initial attempt to resist and deny things, I tried to find a roundabout way of admitting that I did indeed know the guy by mentioning him by his nickname. I mentioned his immigration problem and how I was supposed to make some inquiries on his behalf (without mentioning that I was supposed to pretend to be him).

I expected there was going to be a problem. After all, this was more than an unreturned library book. I expected the worst and thought they might fine me or cause me other problems. I had just put in my application for citizenship but was still just a green card holder.

Then the investigators told me that this man was part of Al-Qaeda. They also tried to use this time to tell me what I was facing. One of them started citing some laws using legalese that flew over my head and explained to me that I might be looking at eight years in prison. The ground disappeared from beneath my feet. I felt as if I were pulled deep underwater, unable to swim.

I tried to explain that he was from Baltimore, had a driver’s license and work IDs from a job here, and that he was more a part of America than even I was and he was just trying to get back home after carelessly overstaying in Pakistan. But I failed to realize that their job was to think suspiciously. After 9/11 this suspicion had turned into paranoia, and they didn’t want to hear that I was clueless and didn’t know what was going on. They were in the mood to uncover a grand conspiracy. They asked me for my phone to see my call logs and I never got it back.

They told me that if I continued to lie, they would have me moved to a military base. I pushed back that they couldn't just do something like that, but they told me that they could, and they had. They told me about someone named Jose Padilla who was uncooperative until he was recently moved to military custody to make him start talking. They added that I wasn't even a US citizen like him, and it would be easier to move me than it was to move him. In fact, I could even be sent to a base outside the United States such as Guantanamo Bay.

According to them, that system was a legal black hole, and once I was in it I could remain there for the rest of my life. There would be no courts or legal proceedings and I might be eating out of a bag for the rest of my life without any contact with anyone, including family and friends.

I insisted that there was nothing, but then they told me that my father had been captured in Pakistan by the FBI with the help of the Pakistani security forces and was being flown to a friendly country like Jordan. I was worried about my mother and my siblings back home and my fear for my father started reaching depths I had never known before.

The specificity with which they gave me immediate responses made me believe that this was very real, and my resistance to their accusations started to break down, hoping that I would not trigger a quick transfer that they were threatening me with. My best hope was that they would confirm their accusations and discover that there was no fire at the source of this smoke. I also noticed they weren't doing a lot of note-taking. I didn't see any visible cameras, but they must have been recording this entire conversation, and the questions and my baseless answers in the face of their threats would be enough for a more senior figure to see the entire circus for what it was.

When they came back and forth from their breaks, I noticed that they weren't willing to accept just any answer, good or bad. They were pushing for some type of corroboration until I felt like I was in a pinball machine being led away from certain types of answers and encouraged towards others.

If this interrogation was really about Al-Qaeda, were they just going to trust it to their memories? There had to be concealed recording devices.

With that hope in mind I tried to toe a fine line between confrontational denial, which would risk a military base transfer, and admitting to a crime that not only did I not commit but that might not exist in the first place.

I was trying to follow the path of least resistance in order not to end up in the legal black hole they kept threatening me with. When I asked about a lawyer, they explained that I did have that right, but that in this post-9/11 world and the nature of their interest in me, they needed to speak to me without any restrictions. If a lawyer became involved and used legal ways to stop them, then they would probably need to put me in a different system where such restrictions didn't exist.

Their questions lasted until I could see daylight outside the window, when they sent me with some of their agents to a hotel. The agents came inside the room with me and told me to get some sleep while they were sitting in the same room. They had taken my luggage from my place during the night to retrieve Majid Khan's documents, but I didn't realize they had taken all my belongings, not just the documents. When I needed my toothbrush, clothes and other things they wouldn't let me near my suitcase. I was supposed to tell them what I wanted, and they would hand it to me.

As soon as I lay down to bed a question popped into my head, and I asked one of the agents if I was free to go home. He said that I should have asked the agents assigned to my case. He added that I was the one who wanted the hotel room. I explained that I made the obvious choice when I thought it was either a hotel room or a jail cell for the night. But I was never told if I could go home. He asked me to speak to the case agents. I then asked him if I was under arrest. He was getting frustrated and after dodging the question a few times he told me that I was being detained. I replied that that meant I wasn't under arrest, but he shut me up and told me to go to sleep. There was no more arguing, but I did plan on bringing it up with the agents the next day.

Around four hours later they woke me up and told me to get ready to return to the FBI office. While getting ready, I was in the bathroom shaving when one of the agents sitting in the room was asking me something. I couldn't hear him, so I left the bathroom and asked him to repeat what he

said. His eyes immediately went to the straight razor that I was using to shape my beard. They must have realized that they had handed me my bag of toiletries without checking inside, but they didn't say anything to me at that time. They just kept the conversation short and asked me to hurry up and get ready.

On the way to the FBI building, we passed by the other skyscrapers that Manhattan is well known for. We weren't that far from the Macy's store in midtown Manhattan which I used to see on my way to work every day, Madison Square Garden, which was right across from one of my favorite Chinese places for lunch, the New York Sports Club at Herald Square where I would work out before I went home.

It was late Saturday afternoon when we arrived, but the interrogators weren't there yet. As I waited for them, I stared out of the window high above the street and my misery became overwhelming. My eyes fell on a small box with a button, and it occurred to me that if I could somehow open the window and have the courage to jump out, this unbearable experience would all be over. At the very least I was feeling claustrophobic and wanted to see if I could get some fresh air.

As soon as I pressed it the whole building started echoing with an alarm of some type. It was a distress button. Since it was a weekend there was no one to turn it off and it took a while to find a way to get rid of the noise. The alarm was deafeningly loud, and I wish I could have stepped outside the building for some peace and quiet until they turned it off. Everyone was extremely annoyed by what I had done and the babysitter at the door wouldn't let me out of the interrogation room.

When they asked me why I pressed the button, I mentioned that I wanted some fresh air because I was feeling claustrophobic. God knows how they would have reacted if I told them I was thinking of jumping out of the window. The first thing that the interrogators did was read me my rights. When I asked if I was under arrest, they told me that their superiors hadn't decided if they were going to put me in a regular prison or a military base, but if I stopped giving them such a hard time, they could put in a good word for me. What could this good word achieve? The possibility of going home

wasn’t mentioned on that list but this was a terrorism investigation, and they would obviously get to the bottom of it. Until then I needed to avoid their black hole. So much for my plan from last night to ask on what basis they were holding me.

They also had my hands swabbed for any type of residue from explosive devices or the like. In their custody I felt completely helpless as they told me to open up my hands while they did a swab with some sterile liquid that smelled like rubbing alcohol. Then they did some type of scan. This otherworldly experience was mind numbing. No matter how much someone might say that you have nothing to fear if you’ve done nothing wrong, everyone in such an environment has plenty of scary thoughts, such as what if it shows up positive because of human or computer error? Or what if I’ve been in contact with something without knowing about it? It was all so overwhelming.

That night they put me in a different hotel and told me I had to be strip searched. I was not a very religious person. I was always skipping my weekly prayers. But in the country and culture that I grew up in, I never took my clothes off in front of anyone else. It was humiliating enough when I thought I would have to strip down to my undergarments. But I had no idea how thoroughly invasive an actual strip search was. I wasn’t married yet. I had never even needed to do anything of this sort for a doctor. Long before this demand, I had lost any sense of control over myself and my things, and the only resistance I put up was to ask that two of the three men in the room turn around while I had to undress further in silent surrender.

When they gave me my toiletries bag, the razor was missing and I thought it might be the reason for the strip search. When I got into one of the two single beds in the room there was a big fat guy who sat on the other bed with his arms folded watching me sleep. I told him it would be hard to go to sleep while he was staring right at me, but he refused to give me any privacy. Another one of them was sitting on a chair near the foot of my bed. In the middle of the night, I woke up when the guy on the bed had fallen asleep and was snoring like a chainsaw. Me and the agent sitting on the

chair made eye contact for a few seconds. I had his sympathy in trying to get some rest, but he wasn't going to do anything about it.

On Sunday, back at the FBI office, I started by making a short plea that they were only making conjectures and it wasn't right. They didn't interrupt me. In fact, there was silence after I was done. Then the detective started breathing heavily and said, "I'm getting angry. I feel like breaking something." I started to panic. With a smile that made me even more anxious, the agent looked at the detective and said, "Now you've made him angry." They told me that maybe they should let their superiors know that I wasn't being cooperative and have me moved. They offered to take a break and pretend that this conversation never happened. Otherwise, they would tell their supervisors and then it was out of their hands.

Sometime later the detective came back after he recovered from his lost temper and asked me if I wanted to continue, and I agreed. He asked me if I was hungry, but I had lost my appetite since Friday evening. He also said that this was just business and not something personal. That I seemed like a nice guy, and under different circumstances I seemed like the type of person he would have liked to have a drink with. I understood his gesture, but it was worthless. He was trying to be friendly to a lamb he was leading to the slaughter.

That day was no better than the other days and that night was just as disturbing as the previous nights. The agents were busy with their banter as I was trying to get some rest. In their post-9/11, hyper-paranoid frenzy, I felt my efforts to stop them from sending me to Guantanamo Bay or some other military base could fail, and I wanted to say goodbye to everyone who was a part of my life so that they would have some sense of closure. But I also feared that if I did get in touch with anyone, they would become a target of suspicion. I expected that my family and friends would be worried about me by now. I wasn't the type of person who would just disappear and be unreachable like this, even for a few hours. Besides, I was supposed to take some relatives out for ice cream. It was going to be my treat.

4

On Monday morning I thought it was going to be another round of the same thing, but I was approached by a different guy at the FBI office who might have been a senior officer. He explained that I was going to be arrested and taken in front of a judge and transferred to the Metropolitan Correctional Center (MCC) nearby, the FBI jail in Manhattan. The thing that I was most afraid of was now a certainty that I had to accept and walk towards helplessly.

I was escorted away in handcuffs, which they covered up under some clothing. One of the agents escorting me was around thirty years old. He asked me my age. Twenty-three. He quoted some statutes to speculate that I might be as old as him by the time I get out. It sounded like forever.

I was processed and eventually taken in front of Judge Micheal Mukasey, who I would soon learn through the prison grapevine was famous for always asking the government some tough questions to sound impartial and skeptical, but rarely ever refusing their requests no matter how unconventional. I walked into the courtroom and was surprised to see three of my relatives and a lawyer in court. The lawyer had no experience in terrorism cases and was a last-minute attempt to arrange some representation for me. There was also a court-appointed lawyer because everything was so last minute. I didn’t expect any of this.

The “charge” with which I was presented was a material witness warrant, which is technically just a legal excuse to keep someone behind bars for up to ninety days without charging them with any crime because they might have some information the government needs.

Before the hearing, the lawyer explained that the government wasn’t really interested in me. It was more about my father. I was emotionally and

physically exhausted, but I felt he had no idea how serious things were and tried to explain to him that it was far worse than he thought.

After my court hearing I was shackled and escorted by federal Marshalls to a holding cell under the court building. It was a cage with a one-piece toilet-plus-sink. The room was freezing, and the air conditioner was as loud as a plane engine. As I lay on the cold steel bench, I remembered my cousin recently telling me about the time he ended up behind bars due to an unpaid traffic ticket. He said that the holding cell was one of the worst experiences he had to endure until one of the cops at the station turned out to be a customer and processed him out quickly. I made a mental note to compare our experiences if I ever saw him again.

Another thing that ran through my head were all the old memories of me getting into trouble during high school and my early days of college. I would try to hide it from my parents but sometimes they'd find out, and the memory of their disappointment came back to mind. I messed up and got into trouble again, this time at a whole new level.

While the outside world believes that time is money and measures things in seconds and minutes, the prison world is in absolutely no hurry at all—time slows down painfully. Every single process is frustratingly slow. I also learned later that I was on cell-alone status, separated from the other prisoners who were together in the larger holding cells. I was put in handcuffs and shackles and taken to another elevator which led to a tunnel connecting the court to the Federal Bureau of Prisons' (BOP) MCC, which is probably one of the ugliest buildings that Manhattan has to offer.

From above it looks like two broken crosses, and from the street it is the ugliest shade of dark pink covered with bars and barbed wire everywhere. But at that time, I was being led through underground tunnels and would only learn about its outside appearance over time.

My last name was about to become my only name and a registration number would become part of my new identity. I was taken to a changing room and a guard (known as a correctional officer or CO) there asked me to take off all my clothes. When I was down to my undergarments, I asked if that was enough. In a thick Caribbean accent he replied, "Naked as the day

you were born.” After I complied, he told me to open my mouth and stick my tongue out, bend my ears forward, put my fingers through my hair, show my underarms, turn around to show the bottoms of my feet and touch my toes so they could see the rectal area. Then I was given some used orange underwear, orange socks, an orange T-shirt, an orange jumpsuit and a pair of canvas shoes that were called bust shoes.

My belongings were placed in a box to mail to my family, and I was locked in another holding cell with a Black American guy named Craig who had been in jail before. He was a friendly guy even though I was too numb with my problems to feel scared of anything else anyway. While Craig sat singing some R&B song he had been working on, I looked around at the filthy brown broken tiles on the floor, the government gray windows with heavy bars, the blinding white ceiling and walls under heavy lights and dirty wooden bench that ran all along the walls of the cell. The door to the bathroom was missing and there was a steel toilet with a leaky sink. We were waiting for a few hours while he told me about all the things that a person can learn in prison, including short courses and musical lessons.

The COs opened a slot in the cell door and gave us two trays of meatloaf. As soon as I put a piece of my first prison meal in my mouth, I threw it right back out. I walked to the bathroom that had no door and flushed the food down the toilet so that they didn’t know I had not eaten anything.

There was a heavily barred window that looked out onto a small side street a few floors down, and pedestrians were walking in both directions. The normalcy of their daily routine seemed so alien to the situation I was in now. I still had free air in my lungs, but I had no idea what lay ahead of me —only that it didn’t look good.

After a few hours with Craig, I was shown to a physician’s assistant. He asked me if I was from Pakistan, and I nodded. He asked me if I spoke Urdu, and I nodded again. He asked me if I knew what they thought I had done, and I numbly shook my head. He showed me the top part of a piece of paper he had on his desk where someone had written the words: “conspiracy to use weapons of mass destruction.” I was too tired to give

any visible reaction but inside it only felt worse. He asked me if it was true. I shook my head. He told me that therefore I shouldn't have anything to worry about.

After some more waiting, I sat with another CO, and he asked me if I wanted to call anyone. I said yes. "Wise choice grasshopper." Sometimes you remember the little things. I gave him my cousin's number and he answered the phone while we stayed on speaker. I asked my cousin how my mother was doing. He sounded worried himself while he was telling me not to worry and he told me that my mother was fine. I was confused. How could she be fine if my father had just been captured? I asked him how my father was doing, and he said that he was also fine but everyone was just worried about me. It seemed that my father was still safe in Pakistan. This was an unexpected relief. My cousin told me not to worry and that they were trying to get me a good lawyer. Then the CO said that was enough.

After waiting for someone to come and take us, I was cuffed from behind and taken up the elevator. Craig was wearing a brown jumpsuit, and he wasn't in handcuffs and they put us in separate elevators. I was taken to the Special Housing Unit also known as the SHU (pronounced shoe) in 9 South, which is a sanitized way of describing solitary confinement. I was being placed under administrative detention, which basically meant that I was being placed in solitary confinement after someone had decided that I needed to be separated from other prisoners. No music lessons for me.

I was taken to a pretty dilapidated hallway and eventually to an open cell door. The door was closed behind me and a slot was opened. I was asked to back up my handcuffed wrists through the slot to uncuff me. Then I was alone in what was probably an eightby ten-foot cell with steel sheets for walls that turned the cell into an icebox in the early April cold. There was a double bunk, but I was alone. There was a small steel desk with a pullout stool, the window was heavily barred with a grill on top of it, and the glass was frosted so I couldn't see anything outside.

My booking process had started early in the morning and other than a few minutes in court and a few minutes to process me at each stage, I had spent the entire day and half the night just waiting to be moved from one

locked cell to another. These people made the Department of Motor Vehicles wait look like a roller coaster ride.

Many things are blurry, but I still remember that as soon as the cell door closed behind me the reality started to sink in deeper and deeper that the life that I had built over twenty-three years had fallen apart. I went from an office in midtown Manhattan to solitary confinement over the weekend. In January 2003 I had my last comprehensive exam, in February I was unexpectedly in New York and in March I was in an interrogation room headed for solitary confinement by the first of April.

The room wasn't a full rectangle, so it was even less than eight by ten, with a large section cut out for the ventilation system and another for the plumbing behind the toilet. This brings me to the first thing I noticed in the room. I was relieved (no pun intended) that there was a stainless steel toilet with a sink attached to it. The seat would turn extremely cold when it was flushed so inmates would try to keep it to a minimum to prevent it from being too uncomfortable to sit on.

There was a camera in the corner to watch me 24/7, which had an unobstructed view of the toilet. The cut-off sections, toilet, desk and bunks barely left any room to walk around, and a small guy like me might even be a tight fit while trying to do push-ups. But after the worst weekend of my life, I just went straight to bed.

What seemed like just a couple of hours later, I woke up to the loud clanking of the slots being opened; a small food tray was placed on it, and I was told to save up the food (in what?) and return the tray immediately. This was my first introduction to a flimsy little utensil called a spork: a spoon with two prongs cut into it so it fails at being either, because it is too forky to use for a liquid like gravy, soup or cereal milk, and too spoony to be used for tough foods like meat that need a strong fork. I saw a small juice packet that I used as a plate to place a small piece of cake on (which the prisoners would lovingly call rat cake because of how it tasted), and then I returned the empty tray to the slot.

It was cold. The blankets were thin and all I wanted to do was stay in bed. There was a leak in my toilet which made a big puddle on one side of

my cell. One night I woke up in a panic when I realized that my blanket fell into the puddle. It made the blanket freezing cold and wet and I started to shake because of how cold I was.

In the first few days when I asked for a shower, they told me that according to their policy no one gets a shower for the first two days. When I was allowed, I had to grab my shower stuff while I was cuffed from behind and taken to a small shower stall with a steel door and no ventilation. The slot in the shower door remained open, which didn't really do much if the stall was full of steam, but it allowed everyone who was walking by to see inside while someone was taking a shower. When the water heater was working sometimes the inmates would faint because of being in a small, sealed room full of steam. But what I remember more vividly is how often the hot water boiler would stop working and the voice of a female CO in her shrill voice yelling out, "ICE-COLD WATER!! WHO WANTS A SHOWER?!"

For my first shower, the hot water wasn't working, and I got an immediate brain freeze far worse than having too much ice cream. My teeth started chattering uncontrollably and I started trembling violently as I stood under the shower. She wasn't kidding about the ice-cold water. I thought the CO was trying to be funny, but it was meant to be a fair warning.

The bar of soap they provided was around the size of a cigarette lighter. The toothbrush had most of the handle cut off, leaving only enough to grip it with the tips of the index finger and the thumb. One type of toothpaste they provided was a watery transparent liquid called Maximum Security toothpaste. There was no mirror in the shower or above the sink, but they sold a tiny plastic one in commissary.

Prison is about a long wait for everything, and showers were no exception. You take a shower when they allow you to take a shower and you had better be quick to use a razor while you are in there, because that is the only time they will give you one. Depending on when they have time, they might take someone back immediately or they might forget him in there for an hour.

In the early days I was lost in my thoughts the entire day. In this deep pit of despair I did some soul searching. Despite my wish to have a more spiritual life, I barely prayed and didn't consider myself much of a practicing Muslim because I had made other priorities in life such as studies and work. But even after being in this hopeless situation, I felt shy about making prayers only when everything had already hit the fan.

To answer my own hesitation, a positive thought came to my mind at the same time. As bad as it is to turn to prayer only when things go bad, would it not be worse if I decided not to pray even at such a time? And so, I was able to overcome this self-harming shyness and started focusing on a cleaner heart after so many years of only paying attention to a sharper mind.

As much as I saw myself as a nice guy who wanted to do good in the world, I was passing my standards with flying colors only because they were my own. Although I always wished to become more spiritual, I was just too busy with other things. But now I had time. Time to do my prayers. Time to read the Quran. Time to find a more objective definition of what it means to be a good person. In the beginning it was difficult because I had not opened the Quran in maybe ten or fifteen years. But since I had nothing but free time, I spent a lot of it with this book.

When the first weekend came and the exhaustion started to go away, I started to experience a mind-numbing sense of boredom. I was walking back and forth in my cell and felt like I was going to lose my mind when the guy in the cell in front of me called out and asked me what was wrong. He asked me if I was crying. I told him that I hadn't been crying but I was going nuts because I had absolutely nothing to do. He asked the guard to give me a novel that he borrowed from the library. I took it like a starving man grabs food and let myself get lost in the story.

I had to preoccupy myself in the short term by reading. There was nothing else to do. I started asking to go to the library, which was a cage with a nonfunctioning computer and books that other inmates had left after reading them. There were a lot of thriller novels. I can't stand romance novels, but I was surprised by how popular they were in jail—just like

women’s deodorant, which the guys would buy and wear themselves to remind them of the scent of a woman.

I had been an avid reader since I was a kid, but now I could finish a book in a day or two. When I went to the library, I would grab three or four novels at a time. The COs would tell me that I couldn’t take more than a novel at a time but I pleaded that they were barely enough to keep me busy until my next trip.

I have my mother to thank for this because she was the one who introduced me to the world of books and created my interest when I was still a child. Reading was one of the main ways to survive and pass time in prison and I was fortunate that I was already an avid reader.

5

A few days after my arrest, I was told that I had a legal visit from a lawyer. Since I was not supposed to be around other inmates, my legal visits were outside of the usual legal visitation area. I was walked over to an adjoining unit called 10 South, which was a far more isolated version of the SHU. They had a strictly no contact legal visit area where I was locked in one stall and the visitor was locked up in the next one with a screen between us. There was a large CCTV camera in the top corner. He introduced himself as Anthony Ricco and said that he had been hired by my relatives to represent me.

I voiced my main concern: I was accused of terrorism-related activities. Since he was an American could I really expect him to fight for me tooth and nail or would he consider it his patriotic duty to bury an enemy of the state? I got the usual spiel about a lawyer's duty towards his client, but since I was not able to find someone for myself, I agreed.

He told me that the government wasn't really interested in me. At most I might be looking at probation or jail time for a few months, but their main interest was in knowing what I knew. I tried to explain to him that from my weekend experience things were far more serious than that, but I couldn't convince him.

He said that the government wanted to meet in a proffer meeting and speak to me further and he asked if I was willing to sit with them. I agreed. Within a few days we had the first meeting, and as soon as we sat down I became more confrontational in my answers, saying that most of what we had talked about was just conjecture and baseless lies. Things got heated and Anthony asked for some time alone with me.

Anthony realized from their attitude that things were far worse than he originally thought. After a brief conversation they came back and started to

repeat the stuff they had said over the weekend. They repeated the mundane initial questions but then things quickly got antagonistic. I tried to push back, and the meeting was cut short. Within a few days Anthony came to visit me again, and this time he told me that they wanted to bury me. I felt a sad sense of “I told you so.” When I mentioned their threats about having me sent to a military base or Guantanamo Bay if I didn’t cooperate, he said that they could very well do something like that. In a later visit he delivered the same message from them.

Then, before one of the proffer meetings, the prosecutor very politely thanked me for my willingness to meet with them, but he warned me that if I changed my mind I would be transferred to the custody of the Department of Defense and moved to a military base.

Meanwhile, in MCC I heard from other inmates that there was someone named Jose Padilla who had been arrested a few months before me and had refused to speak to them until he was transferred to military custody. The judge who signed the order was the same one who signed my material witness warrant. From the earliest days of my arrival at MCC, I could hear someone far away making the Muslim prayer call in the most beautiful voice. Then suddenly he stopped. I found out that his name was Ali Al Marri and he was also transferred to a military base. The threat to transfer me was never a bluff and I had no right to remain silent.

So, I did one proffer after another. But since I had nothing to offer except for more worthless speculation and nonsense, we started going around in circles. It was starting to get absurd, and they kept pushing the theory that my father might be trying to smuggle weapons of mass destruction into the country because our family was in the import–export business.

This was ridiculous to me because our company only supervised other clothing manufacturers while they made clothes for our clients. Our staff might inspect a sample or two to verify that things met the relevant specifications, but we didn’t make or pack anything ourselves. Once the goods arrived in the US, they went directly to large retailers such as K-mart and brands such as Ecko and Guess under the supervision and responsibility

of Charles. In fact, even our factory field supervisors were in touch with Charles on a daily basis. My father was involved in the Karachi side of things, but nothing could be loaded from Karachi or unloaded in the US without Charles being involved, and he was a Jewish guy from Brooklyn. It was ridiculous to think that the business could somehow be used to smuggle explosives.

When Jose Padilla was arrested, he knew how to assert his rights as an American citizen. But when he chose to exercise his right to remain silent, they acted ruthlessly and bulldozed through it. Ali Al Marri was a respected banker from the rich country of Qatar, and they again acted, not on the basis of evidence of a crime, but on what they suspected and the intelligence they wanted to wring out of him. People were being moved to military custody around the time of my arrest, and I was made aware that the same could very well happen to me.

One day Anthony came and told me that the government had asked if I was willing to be a witness against my own father if he was captured and brought to the US to stand trial. I remember my first response when Anthony posed this question to me, “How can they expect me to testify against my own father?” Anthony’s reply was that if he was in the same position as my father, he would want me to do it.

This was a very difficult choice for me because this possibility assumed my father was already in their captivity, which would leave my family quite vulnerable, and even though I knew that his presence at home was far more important for the good of the family than my own, this was not a choice about whether I would be in prison instead of him. This was a choice between one of us going home early and none of us going home early. I also expected that in such a situation he would want me to do whatever I could to help the family.

But I did not want to live with the lifelong burden of having testified against my own father based on lies. This was a real choice between two extremely unfavorable alternatives—a real-life dilemma. I had to live with the guilt of testifying against my own father or risk my family living without either of us. It was the ultimate “there are no atheists in foxholes”

moment. I made the most desperate prayer that I not be put in this position, and I said a prayer of thanks when Anthony came back and told me that they had changed their minds about their question. Was it too much to expect that they had realized that those interrogations were based on nothing but fluff?

A few days later, Anthony came back and told me that the prosecutor's office had an offer. If I pled guilty it carried two charges with a total of five plus three years. He tried to soften the blow by saying that he could try and have me serve the time in a camp, which is the lowest security level where prisoners have even gotten traffic tickets because some of them had prison jobs that let them drive on the streets.

He even had it arranged so that I could meet with some of my relatives, my cousin and close friend who I had called the first night, and my uncle and aunt from my mother's side. The jail was preventing me from calls and visits with family to keep the pressure on me, so this was specially arranged in the prosecutor's office building. The prosecution wanted me to plead guilty and so did my lawyer, and they were hoping that this meeting would convince me to do so.

It was a very emotional meeting, full of distressful tears because of recent events, along with the relief of finally getting a chance to see and speak with me. My cousin and aunt agreed with Anthony, but my uncle gave me a more nuanced piece of advice. He told me to go by my true gut feeling. It was good advice, but my gut wasn't telling me that I would win. I only felt that whatever would happen would unhappen. This was my vague but sure sense beneath the distracting distress of everything in front of me. What worried me was that for anything to unhappen it would have to happen in the first place, and I had this unsettling sense of foreboding. After speaking to my relatives, I met with Anthony and told him that I had made my decision. I was not going to plead guilty.

I was a poor candidate for someone deciding to go up against the US Department of Justice with its infinite resources, including the FBI and the multibillion-dollar beast the US BOP, in whose belly I was completely at

their mercy. I was a college kid who had no idea about the justice system of any country, and this wasn't just the local neighborhood police.

Inmates had a saying about Johnnie Cochran, the lawyer who famously had his client O. J. Simpson acquitted of murder despite a very strong case. They said that Johnnie couldn't beat the feds. The statistics for the Department of Justice's conviction rate vary from 92 percent to 96 percent as quoted by different sources. These are only the numbers for the vast majority that plead guilty. Among the rest, some have their cases dropped when they are cleared after mass arrests. Some go to trial and lose, and a much smaller number go to trial and end up winning.

Then there was little old me on the verge of a nervous breakdown. I was so stressed out that I developed an eye twitch and muscle spasms, and sometimes I lost control over my facial and tricep muscles. I must have looked quite lost, weak and pathetic. So, they didn't like my decision, but they didn't take it very seriously either. I feared the place, feared the people and feared what lay ahead. It was a deep fear that could be seen in my eyes. Nor did I ever see myself as having extraordinary strength of willpower. My mother was so worried about me that she said if I had a headache, I would turn the whole house upside down. How would I survive in prison?

I cannot claim that this decision was based on an inner strength. Some of my old school friends who have known me since we were kids remember me as the type to admit and accept things if I did something wrong and refuse regardless of the consequences if I didn't. I cannot remember anything to support this flattering opinion. But more importantly, this wasn't high school. The stakes were as high as I could imagine in my personal life, and I knew I needed to be realistic. It wasn't really about the gut feeling. I had been praying and asking for clarity and help and I felt I needed to fight my case. This was not a strategic decision but a spiritual one.

After some time my lawyer came with the actual plea offer. Despite multiple meetings in which Anthony sometimes tried to convince me what a horribly stupid idea it was to refuse this offer, and other times told me how he would honor my decision, things were getting bad between us when he

saw how headstrong I could be about my decision. In the beginning, Anthony made frequent visits. Then it was only his paralegal who would drop by to check up on me for the family, since my calls and visits were still not being approved. The paralegal also came to deliver a message from the government with a new offer. What if the three-year charge was dropped and I only pled guilty to one five-year charge? But I had made up my mind. I wasn't going to plead guilty to anything I hadn't done.

I wanted to call my family, but whenever I brought up the phone number approvals to the unit manager, he would make up some pathetic excuses such as he never got my paperwork, he lost my paperwork or he was working on it—different excuses, one after another, and none of them convincing. I should have known his mindset when he—as the unit manager for units 9 North, 9 South, 10 South, 11 North and 11 South—always signed as unit manager 9/11. He knew my prosecutor by name and was his henchman within the jail.

Sometimes I saw the warden change his tone after he heard that an issue had already been decided by the unit manager. It seemed to me that the prosecutor's office would protect this guy and intervene on his behalf. I never met any inmate or staff member who had anything good to say about him. But he was paying special attention to the terrorists. I was yet to be charged with any crime, but he was in close contact with the prosecutor's office and knew many details about me and my case off the top of his head, even though I was just one of nearly 400 inmates under his care.

I wasn't completely cut off from my family. I was in touch with them through letters that would take around three weeks each way. I would get letters from my mother, sisters and brother and my only living grandparent, my maternal grandmother who was living with us. My father only shared a few words here and there, but one of my sisters wrote about how worried and stressed out he looked because of my situation. For my part, I knew that the US government meant him harm and was glad that he was safely in Pakistan for his own sake and for the family. I allowed myself to think that maybe life wasn't over yet. Maybe I could still salvage things.

This hope required constant energy to sustain it, otherwise the environment, the food and the treatment from the staff would suck all that hope away. There were better days and worse days. One day I overheard someone asking an older Muslim going through a similar case how long he had been locked up. His response was sixteen months. It sounded like an eternity, and it was a frightful thought. As Anthony started to see how serious I was about not taking the plea offer, his attitude towards me started to become tougher.

The SHU was meant to be a temporary place for most inmates who came from the streets pending security clearance to check who they should and shouldn't be around or because of a ticket commonly known as a shot (given due to some policy violation). Since I was permanent, the guards started getting used to me. Some of them treated me like a fellow human being. Some of them were just doing their job, nothing more, nothing less. Then there were those who wanted to participate in the War on Terror.

I used to watch MTV before my arrest. Given that such channels were all about entertainment, I was surprised to see how politicized the conversations on some of their shows had become. One young guy was angry at all those people who were against the war in Iraq, "leaving our troops all half ass while risking their lives and fighting for our freedoms." I wasn't paying much attention to the news, but it was so close to my arrest that all I remember was that they were about to invade Iraq when I was outside and they had already invaded when I was in jail.

Now I was surrounded by guards who were also enlisted and were going back and forth from the battlefield. To be a captured terrorist at the mercy of such guards who wanted to be a part of the War on Terror only made things worse, as I was dependent on them for everything. I was never out of my cell unless I was handcuffed behind my back. In this situation their PTSD would become my nightmare.

When I was able to write letters, I asked my relatives to send me books through Amazon, and these along with the books in the library helped me pass the time after I was done with my daily exercise and Quran studies. I was trying to keep my mind, body and spirit healthy. In fact, after a very

long time, I was finally focusing on my spiritual side. Given that I had essentially been arrested because of my religion, I was curious about that part of my identity.

As my stay in the unit became longer and longer, the COs who oversaw recreation told me they might be able to squeeze out enough time to take me to the roof for some fresh air for an hour. It had been weeks since I had been in an outside area. When they took my handcuffs off, I became very emotional when I saw the sky through the protective barriers and heard the sounds of the city, which reminded me of the world I once belonged to but couldn't be a part of anymore. From then on, they let me out for fresh air once a week, which I desperately made full use of; I used the indoor cage on the other four days. I started calisthenics so that I could feel tired and sleep normally at night.

One day, during a legal call to my lawyer, he informed me that the FBI had made simultaneous visits to a few of my relatives and had interrogated them separately. No one was arrested, but it was enough to spook everyone. As disturbing as it was, at least everyone was safe.

Then, some time in early July during another legal call, I found out that Charles had asked my father to come to a client meeting in Thailand. My father got on the plane but disappeared after that. This was a huge sucker punch. After all the interest they showed in my father during the interrogations, I had no doubt about who took him. I was very worried about him, but I was more worried about my mother, grandmother and siblings. My arrest might have been a big blow to the family, but this setback would change everything at home. I didn't know how my family would manage without him.

My father was an important part of the life of his siblings, nephews and nieces, and everyone was in complete shock. When the plea offer was first given to my lawyer, he shared the eight-year offer with my father, who was already pretty disturbed by my arrest. When he heard about the offer, all he could say was, "such a good kid, such a good kid. "

I was well aware how much his family mattered to him, and I was worried that he was feeling so helpless about my situation that he was not

thinking rationally. After speaking with my lawyer he was aware of the US government's intentions towards him, and I was hoping that that knowledge would prevent him from taking any unnecessary risks, such as flying out of the country. But I feared that my situation had clouded his judgment.

Things were happening one after another. My mind was still trying to come to terms with this new reality when I found out about the death of one of my uncles, who was always very good to me. He was my father's brother-in-law and was very close to my father. Life was starting to feel like a series of strong waves. Each time I tried to recover from one wave, another one started pulling me down, even further away from the world I remembered.

6

In early August, my lawyer came and shared the contents of a criminal complaint that the government filed against me which carried a maximum sentence of fourteen years. This wasn't an indictment, but it was their way of sending a message that they weren't playing around. A few days later I was presented before a magistrate judge and my lawyer used the hearing to request bail. The prosecutor's objection was simple. I had met members of Al-Qaeda. Such accusations should be saved for trials, and this was not the appropriate time for a prosecutor to make such an equivocal claim. But the judge voiced his agreement with the government, while Anthony reasoned that I hadn't even been indicted yet. The judge had an emotional outburst that, well, I should have known better, and denied the bail request.

That was around the time of the famous blackout on the northeast coast on August 14, 2003, when fifty million Americans lost power. MCC was on standby generators. Some of the guards came to my door and in a less than serious tone warned me, "Paracha, you better not have anything to do with this!" Everyone's a comedian, even prison guards.

A few days later, the COs came and asked me to pack up my stuff. They needed the extra space from my double bunk and were moving me to 10 South, the adjoining unit where I'd met Anthony Ricco. It was known as the terrorist unit and was the scariest, most ominous part of the jail.

To my knowledge, the first person to be placed in 10 South before it even became 10 South was the blind Muslim cleric Omar Abdel-Rahman, who was arrested in one of the first terrorism-related entrapment cases that the FBI brought in the 1990s. His political views made him a target of the Egyptian and US governments. At that time, he was placed there to keep him separated from the regular prison population because of his blindness.

After the noisy isolation of 9 South, with people shouting back and forth all day, I entered the maddening, deafening silence of a much more isolated and most closely watched unit in the building. The cells were two to three times bigger than those in 9 South because they barely let anyone out. Nine South had one camera in each cell, but here they had two: one looked across the cell into the shower stall, which every cell had; the other was right above the toilet looking straight down. The showers were within the cells so that we could be kept locked up as much as possible. The guards on duty had only a few cells to watch. They were always observing us with undivided attention and were close enough that we could hear them passing comments on our everyday behavior. Sometimes, while I was on the toilet, guards—including female guards—would start a conversation, making jokes and passing comments that might even be inappropriate between friends but were bordering on harassment coming from them.

Some of the female staff would be making rounds in 9 South and an idiot in his cell would pretend to be urinating to expose himself. The staff would deal with them firmly by embarrassing them, making fun of them, and it was an effective way of making sure it didn't happen again. However, we came from a different culture, and I learned to do things such as taking a bed sheet as a reverse cape (in front of the body and over the shoulders) before I sat on the toilet, so that I could get some sense of privacy. There was no shower curtain or barrier to prevent the guards from watching us shower, but again I had to do what little I could to keep some of my dignity.

The attitude of the guards in 10 South was also different from 9 South. Some assumed that if I was in a worse place than 9 South then I was probably worse than the people in 9 South, so they needed to take things up a few levels. Other guards treated me worse because there were cameras and recording devices all over this high-security area and the upper-level staff would castigate them for being nice to any of us terrorists.

Since I was now more dependent on the guards, this new attitude made things more difficult than ever. For example, the cell had very large, bright lights that I had no control over. I had to request the guards to switch them off every time. This would be a problem if they were in a bad mood, busy,

feeling lazy or sleeping on the job. Then there were the haters, the soldiers in the War on Terror who enjoyed the loud radio only when we were praying and turned the lights on in the middle of the night, or off whenever they wanted.

The bed, desk and stool were cold, hard concrete, and the shower water temperature couldn't be mixed. The hot water was scalding hot and cold water was freezing cold. I would try to make the best of it in the few seconds as I switched back and forth. The windows were huge but completely frosted so I couldn't see anything outside. If it was a shade of white, I knew it was daylight. If it was a dark shade of blue, it would either be around sunrise or sunset and it would be black at night. If it was snowing outside, the reflection from the streetlights made the window a shade of yellow.

One big difference here was shakedowns at least once a day. This was our term for cell searches, which were a regular part of prison life. Me and my room could be searched at any time without any justification. The minor cell searches could be a quick look inside. The major ones were the real shakedowns in which they would handcuff the person and take them out of their cell for a strip search while they ransacked the cell. Here I am talking about the major shakedowns that they did during lunch or dinner when they came to feed us. It made no sense. They would give me my food, then come back in less than two minutes to turn everything upside down. I was still very fresh in jail and scared of everything, and this was especially disturbing when I came back to what looked like the aftermath of a tornado.

Before I was brought to 10 South, I had heard that one of the inmates in this unit stabbed a CO in the eye in late 2000. The guards claimed that the incident made their attitude regarding all the Muslims worse, even though this was not the first incident of violence against guards. This was perpetrated by inmates from different ethnicities, different gangs and groups all the time, and any inmate could be targeted by the same reasoning. But this was the first time they had tried to seek, not only justice, but vengeance against every one of us for many years after the incident.

I came to the unit with a sense of bitterness about why this Muslim inmate had done such a thing and ruined it for the rest of us. When I was placed in 10 South, I discovered that he was my next-door neighbor, and he was not what I expected. When I heard Mamdouh Salim recite the Quran, it brought tears to my eyes to hear his voice full of longing and pain. With some difficulty I could speak to him through the walls, and we would talk sometimes. Even though his English was very broken, his intelligence, polite manner, humility, naiveté and grief came across clearly.

When he was still a free man and living with his family, he missed his wife so much whenever he went out for work that when he returned home, she was always the first person he looked for. Knowing his inability to live without her, she used to ask him what he would do if they were ever forcibly separated by unexpected circumstances.

Before the windows were frosted over, he would look down at the streets of Manhattan and cry when he saw little kids because they reminded him of his own children back home. He was an engineer by trade and a respected scholar in Iraq who had to flee with his family when he refused to support Saddam Hussein's attack on Kuwait in the 1990s.

When his son was old enough to drive a car, he decided to go to Germany to purchase one, but the Germans put him in prison on behalf of the US government. Some American prosecutors visited him in Germany and asked him to come with them to the US because they wanted to speak to him about certain intelligence they had gathered. Unlike Iraq, he knew only good things about the American justice system, so he agreed.

Once he was on American soil, they indicted him as a co-conspirator in a case in which they had strong evidence against other people in the conspiracy but nothing substantial against him. By including him as part of the conspiracy, the prosecution was trying to get him convicted along with everyone else in the case. He wanted to be tried separately but his lawyer was working against his interests. After the stabbing incident, the government dropped the original case against him and tried to get the most out of the incident itself after he had pled guilty.

Despite his respectful way towards me, I had an attitude problem with him the entire time because he was the first real terrorist I had met. But the more I spoke with him, the more I felt I had prejudged him when I was a victim of the same thing. One day I asked him why he stabbed the guard, and what I got was the answer of a broken man. As a religious man he offered the CO an eye for an eye. He was willing to donate his eye to the victim or give it up as a form of punishment if they would just let him go home.

He felt that he had been put in jail not because of anything he had done but because of what they thought he knew, so his mind couldn't accept the unfairness of it all. Then he tried to change his lawyer, because he saw that the man was working in the interests of the government, but the judge wouldn't allow it.

In a fit of desperation, he planned to assault his lawyer during a legal visit so that the man would be forced off the case. That plan went terribly wrong during a struggle with the CO, who he attacked when he tried to snatch the legal visit room keys from him. The CO was well liked among both the other guards and inmates. Even Salim told me he was a nice guy. But what he humbly tried to explain to me was that they had driven him to the point of insanity after they stole his entire life, in a case that was so weak they eventually dropped it—the same case they used to lock him up in the first place—and tried to make the most out of the stabbing case.

I was the kid still fresh out of college who was debating whether to attend a Pearl Jam concert at Madison Square Garden around the time of my arrest. I came to New York to establish a business and make money. I kept telling my neighbor that this wasn't my world. I wasn't taken from a battlefield. I wasn't even religious. I was far removed from whatever my mind perceived a terrorist to be. But here was my first encounter with one of the worst reputations that I had come across, and the more I researched his case, speaking to different people, the more I felt he was as undeserving of the title as I was.

I still had an attitude problem with him, but I would also try to give him pep talks about not giving up. It was depressing to see that he had lost all

hope of ever seeing his family again, even though he hadn't even been sentenced at that time (he would eventually be sentenced to over thirty years, which was revised to a life sentence after the government won an appeal).

Around six weeks after I was brought to 10 South, I was told that I was going back to the 9 South SHU since they now had available bedspace. But they also started giving me cellmates. I started to meet people from all types of backgrounds. A young kid who got caught with some drugs in his pockets. Another guy who came on a writ, who used to spend a lot of time with the mafia guys in the prison where he came from. The mafia guys couldn't stop boasting about their criminal accomplishments, and this guy was literally taking notes and became a witness for the prosecution. He was a Pepsi addict whose teeth were eroded because of all the soda he used to drink. There was a scrawny guy who was always yelling at the staff because they kept forgetting his soft food diet, "Do I look like a guy who could afford to miss a meal?!!" Another cellmate had suffered a serious head injury and was there for a psychological evaluation. Different guys kept coming and going while I was there.

One guy in the building was suspected of having a small bag of drugs in his stomach, so they brought him to the SHU and put him in a dry cell. They turned off the water and a guard sat outside his cell, watching and waiting for when he would defecate and push the bag of drugs out of his body. The flush was off so he couldn't get rid of anything. He later told us that when he pushed it out, he saw that the CO sitting outside watching him wasn't paying attention, so he immediately swallowed it again. He didn't want to get a ticket for drug possession.

Another guy broke his arm during an arm-wrestling competition (which wasn't allowed and landed him in the SHU) and wasn't getting any medical attention. By the time the administrative staff came for their weekly rounds he had lost it and put a sign on his door window, "This exhibit has been closed, go fuck yourself." The people from the psychology department came to speak to him and asked him if he was suicidal and he angrily shot back that no, he was homicidal.

One Albanian Muslim was thrown in the SHU for getting into a fight. At six foot four inches and 240 pounds, he saw a little Jewish guy getting bullied, so he beat up the bully. When everyone had family visits, he overheard the Jewish kid tell his mother, “Look ma, that’s the guy that saved me. And he’s Muslim. See? They’re not all bad!”

Another one was a small Italian guy who was arrested for armed robbery. From what I was told, he walked into a bank and asked to speak to the manager. When he met the bank manager, he simply opened a briefcase to reveal a few sticks of dynamite and started a timer on a countdown. The manager immediately opened the vault. Meanwhile someone sounded the silent alarm to call the cops. This guy stepped out of the bank and was about to go down the stairs to catch the subway train when someone yelled and pointed him out to the cops, making him turn around. Game over.

His lawyer was able to negotiate things down to five years because the dynamite sticks turned out to be empty and he never said that this was a robbery or explicitly asked for anything. But even five years was too long for him when he found a large crack in his cell window. He tied a few bedsheets together, and was going to kick his window open enough to squeeze out and climb down from his low floor while dressed in sweatpants, a sweatshirt and running shoes, and jog away like an average New York jogger. But before he had the chance to see if it could work, his cellmate snitched him out and he ended up in the SHU with us.

When I came back to 9 South, I was put in a cell next to a man named Ahmed Abdel Sattar. He had lived in the US for many years and used to visit MCC New York as a paralegal and interpreter before they arrested him. He represented one of the first terrorism entrapment cases in the country in which the blind Egyptian Muslim cleric Omar Abdel-Rahman was put to trial. He quoted from one of the lawyers he knew, who used to say that in the Southern District of New York a grand jury would indict a ham sandwich.

After the controversial case of the blind scholar, his legal team tried to keep the issue alive in the press, including his views on the government of Egypt. Taking these press conference statements, the government used the

post-9/11 anger to arrest his legal team for aiding a convicted terrorist by sharing his controversial views with the press, indicting the lead attorney Lynn Stewart (a sixty-three-year-old white lady), my next-door neighbor and another interpreter on the legal team.

Lawyers were once confident, confrontational and bold in their defense of their clients, even if they were representing serial killers. But the Lynn Stewart case created a hush effect on all lawyers that made them afraid for themselves. It sent a message that the government could even come after lawyers while they were trying to fulfill their responsibilities to their clients. It was one of the reasons why a robust defense became nearly impossible in terrorism cases. They sent a message to the lawyers that they could put even them in jail while they were essentially exercising their free speech.

Getting to know Ahmed was another heartbreaking experience. Here was another family man with little kids who was just doing his job as a paralegal and giving speeches to Muslims in America about their rights. Once I personally started meeting these people, and heard the real story behind these highly publicized cases, it all started to feel like fluff.

During one of my court hearings, as they hauled us like cattle from one holding cell to another, I was stuffed into a room with some other inmates. One of them walked up to me and asked what part of the world I was from. I told him I was from Pakistan. He was also a Pakistani, and he introduced himself as Zulfiqar and struck up a conversation about how Muslims in America had forgotten their religious heritage; as an example, he said that most Muslims didn’t even know how many verses in total there are in the Quran.

I kept nodding along, but in truth even I didn’t know how many verses there were in the Quran. I had been reading a translation for the last few months since my arrest and felt pretty good about myself until this fellow came along. I wanted to argue that it didn’t matter if you know how many verses there are in the Quran if you know what they were saying. But I would have felt more confident if I knew the number and then made this

argument. So the question lingered in my mind until I had a chance to ask Ahmed.

Up until my arrest, I had so many questions about religion, but I was never able to get any answers. So I concluded that there weren't any answers and I started to focus on other things in life. But since I had plenty of time to read the Quran and pose those same questions to some of the Muslims around me, I started to realize that it wasn't that the answers didn't exist, it was that the people I had asked couldn't answer them. I must admit that I was extremely argumentative and confrontational, full of a hyper-skepticism that these people must have found frustrating. But they were patient and seemed to have read a lot more books than anyone I knew growing up.

All the while, I couldn't help but think of my father. We had not heard anything about him since he got on the flight to Thailand— and of course, my access to any sort of information was severely delayed. But in September or thereabouts my father had finally sent a message to my mother that he was in the Bagram US military base in Afghanistan and was okay. He was asking about everyone, especially me.

7

Despite the US government's plan to throw the book at me and make me the poster boy for the Patriot Act, I wouldn't bend to their will. It didn't make sense to me. I had the constitutional right to challenge an accusation against me, but if I exercised that right I would suffer exponentially worse consequences. Being at the receiving end of such a hard choice, I felt that it was unfair to put anyone in this position.

After meetings with my lawyer, I always came back feeling the weight of their words and the fear of the consequences of my choice, but I didn't change my decision. Anthony was getting so fed up with my hard-headedness that he brought another lawyer onto the team, Ed Wilford. At the same time, two things drastically changed my relationship with Anthony. The first was me sticking to my decision not to plead guilty. The second was when my relatives sent a message saying they could not afford to pay for a trial.

In this situation the lawyer makes a request that his client is not able to afford counsel and the judge would approve that the Criminal Justice Act is used to pay something between a public defender's rate and a privately hired lawyer's fee. They made the request and were approved, but that also changed things between us. He also started taking a back seat on the case and Ed started taking a more active role.

Both of them continued trying to convince me that I was making a horrible mistake. Based on their views, some of my relatives wrote desperate letters pleading with me not to make the worst mistake of my life. One day Ed showed up with a lawyer all the way from Pakistan, whom my mother had hired to represent my father. He came to MCC to speak to me and read a letter from my mother asking me not to go to trial. I kept wondering how MCC approved a Pakistani lawyer for a legal visit, but of

course the prosecutor's office knew why he was here and made all the necessary arrangements.

Once he was done with the heart-wrenching plea from my mother, he reached into his breast pocket and took out another, more desperately worded letter from my bedridden grandmother, begging me to take the offer. My mother was convinced by my lawyers that there was no other way, and that a trial was not winnable. It was a very difficult thing to say no to some of the most important people in my life but, despite my misery over the decision, I did not change it.

After four months of requests and complaints to my unit manager, I finally got a phone call through to my mother in August.

Even though I was worried about how she was doing without my father around, she was only worried about me. Her tone was of the "my poor baby" type the entire time. To ease some of her concerns, I tried to sound as if I was doing okay, but I had already been in solitary confinement for a few months and don't know how convincing I was. The BOP system cuts the call off at the fifteen-minute mark and that was all I was going to get per month while I was in the SHU.

As September gave way to October, Ed came to visit me and brought me a grand jury indictment which carried five charges against me: two charges of conspiracy to provide material support to a foreign terrorist organization, each carrying fifteen years; two charges of conspiracy to make or receive a contribution from a foreign terrorist organization, each carrying ten years; one charge of identification fraud with a terrorism enhancement, which carried a twenty-five-year sentence. Given that terrorism convictions usually ended up with a maximum or near maximum sentence, seventy-five years was not a farfetched expectation if I was convicted. I was arraigned on October 14, 2003, and it was a very difficult moment when I became an indicted pre-trial inmate.

Federal law gives a defendant the right to a speedy trial within seventy days of his or her indictment. But like everything else in the system, reality is something else entirely. There isn't a lawyer alive today who has done a trial in anything close to that time frame. There is motion after motion filed

by both parties. There are extensions for extra time. There are responses to the motions and responses to the responses. There are extensions for each one of those responses. The court needs its own time to announce a decision. And all this delay is what persuades many inmates to plead guilty as their patience runs out.

I met several people who had been arrested before, who had been to a regular prison where inmates are sent after sentencing. Some others were brought on a writ from another prison, possibly on an appeal or a new case. These people shared some very counterintuitive insights about the prison system. All of them agreed that a regular prison is much better than any pre-trial institution, and most of them considered MCC one of the worst-run institutions in the BOP.

The administration's logic was that inmates normally spend a lot more of their incarcerated time in a regular prison than in a pre-trial institution, so they prioritize their resources on making a regular prison more livable. It blew my mind how they could even make such an absurd justification, because a pre-trial institution was meant to be a place for those who were innocent until proven guilty as an alternative to bail. The system had lost sight of this basic fact because almost everyone who is indicted by the FBI ends up getting convicted. But it doesn't change the essential fact that all these legally innocent people are being put in horrible living conditions, while they're constantly told that a regular prison is a much better place to spend their time. So they keep thinking that the sooner they plead guilty, the sooner they can go to a regular prison and be out on a regular prison yard and catch some sun and fresh air, eat better food, get a job at UNICOR (the trade name for Federal Prison Industries) and make enough money to call their families.

What I never heard discussed was how the conditions in pre-trial institutions help persuade inmates to plead guilty and move to a prison as soon as possible—the sooner the better. It takes an exceptionally stubborn person to look beyond his immediate conditions for the long-term hope of a better outcome in court, either through a trial or while waiting for a better plea offer.

If by a miracle someone in the federal BOP grew a heart and realized that pre-trial institutions should have much better living conditions because they mostly house innocent-before-proven-guilty inmates, I would expect the prosecutor's office to promptly push back to shut this effort down, because it would make a prosecutor's job a lot more expensive and difficult. A trial could easily be ten to twenty times more expensive than a guilty plea and a quick guilty plea is also cheaper and easier than a long-delayed one.

This situation has created a system where most federal prosecutors and defense lawyers have no trial experience. They only have experience in negotiating guilty pleas with each other, and they try to keep a good relationship with each other because trials are confrontational, while negotiations depend on long-term relationships that are developed over time and should not be compromised for the sake of any single client or case. The long-term relationship becomes more important than any particular client.

Another myth created by mass entertainment was that defense lawyers were only in it for the money, while prosecutors were patriotic public servants with altruistic motives. The Southern District of New York was one of the most coveted jobs for students graduating from law school. A few years working there as a prosecutor would start generating offers from the best private firms in the business. It was more helpful if their résumés mentioned measurable success, such as the number of convictions they were able to get or the type of cases they used to handle. The bigger the fish, the prettier the résumé. Terrorism cases were the Ferraris of the prosecution cases. These cases made their careers.

In a call with my lawyers, I asked them what the next steps would be, and they said that the government would hand over discovery, which included all the evidence against me. Then they would file pre-trial motions. When they got discovery, they told me that they were planning to file motions to suppress the confession from being presented at trial. I asked them whose confession they were referring to. They said mine. I didn't understand what they were talking about until I got my discovery and

discovered (no pun intended) one of the strangest things I have ever heard of in a legal system: an FD-302.

A 302 form is a summary of an interview conducted by a federal agent based on notes they've taken during the interview. In my case the federal agents handed over thirty-one pages filled with typed words summarizing what they remembered me saying over the three days before my arrest and the eight proffers that followed.

It was totally unexpected, because it was being called a confession but there was nothing that is normally expected as a genuine confession. There was no signed statement. No video recording. No audio recording. Since it was a summary, there were thirty-one pages with an average of 350 to 400 words per page, which would come to an estimated 11,000–12,000 words, out of which only fifty to sixty words were in quotation marks even according to them.

More than 99 percent of it wasn't in my own words but was an understanding of what they remembered from those sessions. When my lawyers asked for the agent's notes on which they based their summaries, they handed over a couple of pages with a few words scribbled on each page. Nothing more. According to them they used fewer than a dozen words in notes to transcribe summaries days and weeks after these sessions, as per the dates on each 302 form. And this was all admissible in a federal court trial as a legitimate confession as per their claim.

I was aware that I didn't challenge many of the accusations that they made during their interrogations. But if there was an unaltered audio of that weekend and of the proffers, I expected it to show a lot of the necessary context, the threats, the lies, the manipulation and my specific answers, instead of what looked like a long narrative of what they claimed to remember from those interrogations. They remembered what they wanted to remember. These forms looked like a monologue, where I was just trying to unburden myself.

Even though Anthony was not there during the first weekend, he was present during every proffer. When I met my lawyers after going through these forms, Anthony explained to me what was going on. He asked me if I

had seen a movie from the 1990s called *My Cousin Vinny*. I hadn't. He explained a scene from the movie in which the sheriff asks the suspect, "At what point did you shoot the clerk?" And the suspect is trying to process this unexpected question and asks, "I shot the clerk?" And the sheriff replies, "Yes. When did you shoot him?" And the guy repeats, "I shot the clerk?" Then someone calls the sheriff and he says he's in the middle of a confession. Later on, during the trial in court, the sheriff looks at his papers during his testimony and says, "I asked him if he did it and he said, 'I shot the clerk.' I asked him again, and again he said, 'I shot the clerk.'" By removing the question mark, an innocent question was easily turned into a murder confession.

Anthony explained that that is pretty much what happened to me. They might have asked me a simple question, such as where I met Majid Khan, and I said that I met him at an ice cream shop; since they did not write their side of the question in the 302s, they were able to construct a whole new context around my answers, for example, "Paracha said that he met the Al-Qaeda operative Majid Khan at the ice cream shop."

A lifetime of absorbing Hollywood movies and novels made it hard to comprehend how anyone could go in front of a jury and call this a confession. But they expected it to be allowed by a judge and accepted by a jury. On this point, Ed asked me, when they put a law enforcement officer with decades of experience on the stand, who claims that this Muslim in our post-9/11 world told us all these awful things, who did I think they were going to believe?

I thought about a story we heard in our marketing class, in which two men are walking in a forest and encounter a bear that starts chasing them. One of them sits down to put his running shoes on. The other one asks him how that would help him, when he couldn't possibly outrun the bear. He replies that he doesn't need to outrun the bear. He just needs to outrun the other guy. What Ed was trying to explain to me was that these agents didn't have to be completely believable. They just had to be more believable than me. And what was I in their eyes except a young Muslim man from

Pakistan asking them to be believed over a special agent of the FBI, whose job it was to protect the American public from people like me.

The lawyers had warned me that once the indictment was issued it would be too late to revisit the old plea offer, and that's why they pushed so hard before the arraignment. But after I was indicted, they told me they could manage to have me plead guilty on the old offer, and they again asked me to reconsider my decision to go to trial. I can still remember Ed's words, "Uzair, the American justice system is a tool for the government to do exactly what it wants to do."

Anthony wanted me to understand that I could be compared to a Black man being accused of raping a white woman in America in the 1960s. It wouldn't matter if my alibi was a train ticket proving that I was on the other side of the country at that time. A jury would be tone deaf to all my arguments and pass the guilty verdict to hang me regardless of the evidence in my favor. At that time, I didn't have any decisive piece of evidence that could exonerate me, but on this Anthony told me that there was no telling what could come out as we got closer to trial.

With time, I started to learn to deal with each traumatic bowling ball that came in my direction, the latest being this new indictment carrying a seventy-five-year maximum sentence. Since I had a cellmate now, I could go to the roof more often than before and never missed the opportunity to spend some time getting fresh air under the sky. One day a Turkish man was arrested and brought to our tier. He was a simple guy who had a legitimate business, but he got arrested over credit card fraud worth $1,500. He could be heard crying from his cell about how his life was ruined because he might be in jail for as long as eighteen to twenty-four months. One day we were on the roof together and he asked other people what type of time we were potentially facing. When I told him seventy-five years, I could see him get a little tongue-tied, until he said in his thick Turkish accent, "What for I cry?!"

There was also an older guy with a thick Arabic accent who was arrested around the time of Saddam Hussein's arrest on December 13, 2003. I could hear the guards singing Queen's "We Are the Champions," full of

Bush’s mission-accomplished zeal. One guard was bringing this same prisoner back to his cell and asked him where he was from. He said Syria. The CO replied, “Fuck Syria! Syria’s next!” This poor guy also had a small credit card fraud case and was facing nine months or so, but in their mind his accent made him a terrorist.

One day the guards did a shakedown and found that the Syrian had cut out the Red Cross logo from a newspaper and taped it to his cell wall with some Arabic written under it. They told him that they needed to show the paper to a translator and investigate this suspicious Arabic text in his handwriting. The poor guy was so scared that he pleaded with the CO while we were all standing there handcuffed behind our backs, “But, but, I believe in Jesus!” When my friend Ahmed started laughing at the situation, I asked him what was so funny, and he explained that the Syrian was actually Christian (there are millions of Arab Christians who have been living in Middle Eastern countries since pre-Islamic times), and the cut-out was because it was a sign of the cross and the Arabic written under it simply said, “Jesus please help me.”

The reason Ahmed found it funny was that while the poor Christian guy was trying to explain to the CO that he believed in Jesus, hoping they would see he was one of them, the CO he was speaking to didn’t believe in Jesus because he was Jewish.

Meanwhile, communication with my relatives was difficult and everyone was still very new at learning how to help an incarcerated relative, which involved everything from finding lawyers and sending books to helping my own family. Because of this, they hadn’t fully figured out how to send me money, and I sometimes wasn’t able to buy basic hygiene items.

It was still December when some guards came and asked me to pack up my stuff. I asked if I was moving to 10 South again and the guy seemed ashamed to break the bad news that I was indeed moving there.

PART II

Fighting to Live

8

As soon as I moved to 10 South, the first thing I noticed was that my cell was freezing. There was no heat, and the metal walls turned the cell into an ice box in the winter weather. What made matters worse was that they didn't give me any of my belongings—none of my warm clothing, not even my books. They only gave me my own personal copy of the Quran, which my family sent me, that I was starting to memorize and make annotations in.

This time I was brought to 10 South not because of bedspace issues but because I was placed on Special Administrative Measures (SAMs)—specific restrictions placed on me from the US Attorney General. The SAMs were a document of twenty-something pages that specifically named me and needed my lawyer's signature, because it also put many restrictions on my lawyers and my family. If Ed and Anthony refused to sign it, they wouldn't be allowed to meet me or contact me anymore. They were also banned from speaking to the press or any third party, including my relatives, about me. The SAMs also banned my family from speaking to anyone about anything I had told them. These were the same restrictions placed on the blind scholar's legal team, which later led to their arrest.

Unsurprisingly, I bore the brunt of these new restrictions. Here in 10 South, I was confined to one of the most restrictive units in the entire BOP. Everything needed a high level of approval. Even my previously approved phone contacts were deleted. I had to request them all over again and waited months to get the numbers reauthorized.

When it came to my mail, whether incoming or outgoing, the staff were supposed to send a copy to the FBI for clearance. If they didn't hear from the FBI within fourteen business days, they were supposed to just give me my letters or send them out to my family. But my unit manager instructed

them to send all the original letters, magazines and books to the FBI. Those people had better things to do than review my mail, so it started taking a few months on average to get to me or to my family.

On top of this, the FBI had to be in the building listening to my calls, but again they were off trying to put other dangerous people like me in prison. After nearly a whole year, my phone numbers were finally approved, but I couldn't get a call because an FBI agent wasn't available.

While the SAMs didn't ban the TV (which I didn't have anyway) or radio completely, it banned the news. But since the guards didn't know how to ban the news without taking away the radio, they simply took it away. If I wanted a newspaper subscription, I could only receive it thirty days after publication, and once the MCC had censored it. Since these people had no training or clear instructions on what exactly constituted a national security issue, anything of a political nature related to Muslims or the Middle East (including elections) was cut out, and with it the article on the back of that page was also ruined—articles from the *New York Times* food section were cut because the chef was Lebanese. If an artist had a view about the War on Terror, it was cut out, because you can never be too careful.

There is a famous quote from Aristotle that "Man is by nature a social animal; an individual who is unsocial naturally and not accidentally is either beneath our notice or more than human." Every human being needs at least some level of social interaction to stay sane, but the SAMs placed airtight restrictions on all of our communication. One of the most difficult restrictions in the SAMs was that I couldn't speak to any other prisoner. But when I came to 10 South, I was pleased to learn the ways other prisoners resisted this measure: They would communicate discreetly through the wall or at certain times, such as the evenings or weekends, when most of the staff weren't around.

This tactful communication was how I started to find out who else was with me in this small unit. For instance, Amin Wali Shah was an Uzbeki who grew up in Medina, Saudi Arabia, and fought the Soviet Union in Afghanistan. He was swept up in a raid against some of his acquaintances in 1995. At that time, they didn't even know who he was, so they asked him

his name. Not one to lose his sense of humor even at the worst of times, he replied that he forgot, but he recalled that his wife called him “honey.”

During the early days of his incarceration, he was taken to the roof and the cameras suddenly went dark. The guard rushed out to look for him and found him on top of the high wall with a few bed sheets tied together. The guard threatened to shoot him, so he had to come down.

Meanwhile, downstairs another guard outside MCC saw a suspicious van and walked over and knocked on the tinted windows. Immediately the driver started up the van and sped away. To this day no one knows the identity of the driver or the van. MCC tried to keep it quiet because so many facts pointed to an inside job. Despite all this he was only given a thirty-year sentence because he was simply swept up along with some other people, while the evidence pointing to any crime committed by him was very weak.

So here I was again, with the deafening silence and freezing cold, a large 15 watt “nightlight” that stayed on 24/7, a complete lack of privacy with the two cameras, dedicated guards to watch just this tiny unit and the added restrictions of the SAMs.

After a few weeks the lieutenant took me out of my cell to have the heating system looked at. I must have looked pretty bad because when he saw me, he asked if I was alright. I said I was fine, but I don’t think I convinced him. Within a few hours I was told to pack up my stuff to move back to 9 South. The lieutenant had pulled some strings and told me to make sure that I went to the roof and got some fresh air. As soon as I went back, he sent the recreation officers to my cell to take me to the roof as a last-minute accommodation. I started to feel a little better over the next few weeks, but some sympathetic guards warned me that the unit manager and the lieutenant were having a fight over me. The unit manager asked why I was going to the roof. The lieutenant replied that it was none of his business. The lieutenant himself never told me about this argument, but he told me that he was going to try to make sure that I stayed in 9 South.

He did his best, but after a month I was told to pack up my stuff again. The unit manager finally won the fight, and this was it. I filed many

complaints about access to fresh air, but it didn't make any difference. I was able to get a hold of the Geneva Convention's Standard Minimum Rules for Treatment of Prisoners. It mentioned a completely different set of rules allowing me to get food from my family and wear my own clothes instead of a prison uniform. I didn't even know where to begin. I specifically cited points 4 (1), 11 (a) and 21 (1), which gave me a right to a fresh air window. This was regardless of any ventilation with at least one hour of suitable exercise in the open air every single day. The response was a simple, "we've said no several times already."

When I was in 9 South, I had a routine because showers and recreation happened early in the morning. But in 10 South we had shower stalls inside the cells. There was nothing to do all day and my routine lost all its discipline. My only constant was daily memorization of the Quran. The property officer was unconcerned that I was freezing while he had my warm clothing in his office along with my books. It took over a month until finally someone else gave me my stuff. Two layers of sweatpants do little when your ears, hands and feet are going numb, and you can feel a twenty-four-hour brain freeze like you just ate too much ice cream. But it was better than nothing. I started wearing extra socks on my feet, extra socks on my hands, and tried everything I could to stay warm.

The food was always bad and never enough, but 10 South was even more neglected. I got tired of the fact that we were only getting a couple of slices of bread with some cottage cheese for dinner and I complained to the lieutenant. He called the kitchen to complain that we didn't have a protein item in our meal. Then he told me that the kitchen said that the two tablespoons of cottage cheese were the protein item. I got so frustrated that I asked him if he would also believe the kitchen if they told him he was the Queen of England. He was a bald Black man over six feet tall and over 225 pounds. He calmly said that he would not because he only needed to look in the mirror. I told him to look at my plate and give them the same answer. After the constant provocation and difficult conditions, I was being forced to get more confrontational and confident.

My spiritual journey was a central part of my life during this entire ordeal and it preserved me in this situation. I started reading the Quran every day from the beginning of my incarceration. Within a few months, I was learning the meaning of the daily Arabic prayer I was brought up making. After this, I started memorizing the smallest chapters of the Quran. It was very slow—a little bit at a time. But by the time I was moved to 10 South, I had committed a few small chapters to memory. I discreetly asked one of my neighbors to test me and listen to what I had memorized. When I was finished, he was very excited and told me in his thick Arabic accent, “I will make schedule for you. You will memorize whole Quran.” I immediately became defensive and told him no, I just wanted to memorize a few small chapters at most. But again, his confidence in me was encouraging, and a part of me wanted to do it all if possible. However, I didn’t have the faintest idea how to go about it.

As per someone’s suggestion, I was reading some specific chapters every day to help us in our difficult situation. One day I overheard someone reciting a part of the Quran where he couldn’t remember the next line and I helped him out. He asked me if I had memorized that chapter myself. I hadn’t. I had only been reading it regularly for a few months. Just by repetition, I was able to commit parts of it to memory by listening to myself again and again. So I came up with my own formula of selecting a few pages and reading them again and again for ninety minutes for around two weeks. Then I would try to commit them to memory. By the time I got closer to the fourteen-day mark, some parts were already committed to memory and were easy to memorize with the smallest effort.

Through this formula, I made a slow start to memorizing the Quran. As the living conditions kept getting worse, the Quran was what I needed the most to keep me busy and distracted and give me a sense of accomplishment in the most unlikely place. I needed this desperately.

I was still very intimidated by the prison system and scared of the power they had over me, with the heavy rules they imposed. Whenever I heard their keys getting louder, telling me they were coming close to my cell, I would feel the fear gathering up inside me. The place was taking its toll.

I couldn’t see myself deteriorating as well as my lawyers could, but I noticed the muscle spasms and found it hard to breathe when I tried to go to bed. Sometimes I would be nearly asleep when I would wake up with a jolt. I didn’t know what was going on, but it was getting worse.

I started to suffer from constant headaches until someone in medical services suggested that I get my eyes checked. Because of the security issues related to 10 South, it took me a while to get an appointment and finally find out that my eyesight was starting to deteriorate. After some delays, in which they sent back the prescription glasses my relatives sent me, I finally got a pair from the BOP and was back on prescription glasses a few years after successful laser eye surgery.

As the months crawled by, the place was difficult to the point of being unbearable. Q, a rare CO who I am still grateful to for seeing us prisoners as ordinary human beings going through extraordinary tribulations, told me it would get easier. I asked him when. He said in around five years. I couldn’t imagine things that far ahead, but at least it was a finite answer to a seemingly endless problem. I really needed the case to go to trial as soon as possible because I thought that that was the light at the end of this tunnel. I didn’t want to be in a confrontational stance against the US government and the very thought of it was intimidating. I didn’t care about defeating the US government. I just wanted to go home.

I was so caught up in the daily struggles of my misery that I rarely had time to remember how things used to be. But how could it not take a toll when my once long, tiring hours of being a productive member of society were banned, as if to say “we don’t need your contribution to society?” I was always going out with friends to check out the new continental or Pakistani restaurants in Karachi, and a weekend movie with friends was a regular thing. Now life was a sad case of inedible, inadequate meals alone in a cold cell. Social interactions were rare and mostly with staff, who saw me as anything but a friend. I had enjoyed living in the present, surrounded by friends and family, but now the present was unbearable.

9

I had no idea that everyone was used to the “justice” system working so slowly. The idea of a speedy trial is only alive in fiction novels and Hollywood movies. In the real world, lawyers take their sweet time in filing motions because they have other cases. The prosecution also has other cases and so do the courts. A delay at every stage. There are also summer breaks, winter breaks and many vacations in between, and the courts are in no hurry to do their job.

We were preparing for trial, and the lawyers were filing different legal motions: formal requests to the court for relief on matters pertaining to my case. One important motion was simply for access to people who were allegedly my co-conspirators. If I was accused of being in a conspiracy with Khalid Sheikh Mohammad, Majid Khan, Ammar al Baluchi and my father, then my lawyers wanted to speak to them and see what they had to say about me. Another legal motion was questioning the legal basis on which my belongings were seized when I was first taken into custody. The motion claimed that my consent was tainted because I had felt coerced.

On top of the delays, it also worried me that my lawyers weren’t keeping me updated about the proceedings in my case. I wasn’t told about motions until after they were filed. Sometimes I was approached right before a deadline about signing an affidavit that was written about the circumstances of my arrest, or something else that I would know more about than anyone else, but for which they never used my input. Finally, in March of 2004, I wrote a long letter to the court explaining that I needed new lawyers. I was able to meet with other options but they, like Anthony and Ed, were already pushing me to revisit and accept the original plea offer. I figured I was better off with the devil I knew.

Days were turning into weeks and months in 10 South, and by August 2004 the legal motions, responses, hearings, vacations and holidays eventually ended with decisions against me. Regarding the illegal search and suppression of statements I had made when I was first taken into custody, the FBI claimed that the statements and permission to search were voluntary and there was no coercion. The court accepted their version of the narrative without any resistance. This was disappointing, but not surprising, since I was starting to get to know how things worked here. For my team, that left our request for access to the people accused of being my co-conspirators.

Unofficially everyone knew that they were in the custody of the US Department of Defense in Bagram, Guantanamo Bay or other military bases. The press frequently quoted unnamed government sources to leave no doubt about their detention, and people in the media joked about it all the time. But officially the US government wouldn't admit to it, and their argument in court was that there was no proof that my alleged co-conspirators were in US custody at all. They also added that we had to prove that these people were important to my case.

To me it was self-evident that anyone believed to be a part of my conspiracy was important enough to at least speak to, but the judge's ruling was constrained by red lines that the government was drawing for him in the name of national security. Anything and everything became a national security issue, leaving no room for a fair determination for my own proceedings. The judge was not willing to push back on any of those red lines and ruled that we indeed didn't prove that they were helpful to my case, although the very purpose of the request was to make that determination! We were caught in a closed loop, and the motion was denied in November 2004.

One of the things I saw in these appeals, which I have still not been able to make sense of, was how in the government's motions they would cite the 9/11 commission report as a source in order to establish certain facts. When we dug deeper, we found that the 9/11 commission was getting a lot of its information from the media, including the press, and that those articles were

in turn getting their information from government officials in different agencies. So essentially the government's motions would argue their position based on assertions that were being disseminated by their own agents without sharing any underlying basis. Another closed loop— in my logic class in university we called this a circular argument.

The year 2004 was also when my relationship with the woman from intermediate college ended. It is hard to put into words how my hopes of getting married were shattered when the letters stopped coming. When I finally managed to speak to her in a phone call with my family, she asked me in a pained voice when I was coming back. I could only tell her that the judge hadn't given a trial date yet. It had been sixteen months since my arrest. The conversation turned into an argument, and I tried to explain that I was potentially facing seventy-five years in prision. Then she got angry at them. We tried to make the best of a short conversation, but it was a goodbye that felt like an amputation.

* * *

As the conditions of confinement took their toll on me, I kept insisting that my lawyers challenge the SAMs, but they told me that it had been challenged before and was unsuccessful and would only waste time and effort. When I asked them to do something to improve my conditions of confinement (I felt access to fresh air would really help me get better), they said that it would divert attention from the case. After losing all the motions, and with no trial date on the horizon, the worsening attitude of the COs and the conditions at 10 South, I was at a very low point.

In late October my cell was starting to freeze up again. I was in a pit of helplessness and hopelessness and miserable to deal with when I asked for a legal call to check with Ed on our next course of action. As always, they handed me the receiver through the slot in the door while I was still in my cell. When I got through to him, he told me he had some bad news about my father.

My father had been moved to Guantanamo Bay, Cuba. I couldn't speak. He kept saying, "Uzair! Uzair!" But I couldn't answer him. When I returned the phone, I couldn't even stand up. I crawled over to my bed and numbly started reading the Quran to finish my daily routine. The thing that kept echoing in my mind was that he was now a forever prisoner in a black hole that no one was ever meant to leave.

The next day Ed showed up and brought my legal papers. He didn't know anything further about my father's status other than he had been moved to Cuba, so we started talking about my case. But while I was focused on our work, he kept complaining about how cold the legal visit room was. We both had vents near the ceiling blowing cold air at us—he commented that even though he was in a suit and I was only in my orange jumpsuit uniform and T-shirt, I looked like I was used to this. I was. But it was not as bad as my cell, I told him, with its badly insulated windows, steel walls, a cool air vent and a broken radiator.

I continued reading my notes when I heard Ed yelling loudly. I looked up to see him standing on his chair trying to find a way to block the vent. There were two female guards outside our legal visit rooms and he told them that he couldn't work in this temperature. They replied that they were also feeling very cold themselves and pointed to the sweaters, jackets and hats they had on. Ed countered that at least they had warm clothing. All I had on was my half-sleeved jumpsuit and T-shirt underneath. Watching everyone, I thought to myself that this was nothing compared to my cell. If I put a carton of milk near the window it would freeze into a solid block of ice.

Suddenly Ed apologized for not being able to continue under those conditions, and he left. A few days later he sent me a copy of a letter he wrote to the court on October 25, 2004, in which he explained in detail his experience when he visited me. He accused the government of being at least neglectful and indifferent to my horrible conditions of confinement, which violated international standards on treatment of prisoners, or at worst they were an intentional pressure tactic against me.

He also pointed the finger at MCC:

> At best it appears to be a retaliatory policy on the part of the MCC, designed to exact retribution from Mr. Paracha based on his alleged ties to Al-Qaeda and the unfortunate horrible attack on a member of the MCC staff by other inmates who were convicted of being members of Al-Qaeda. In either event such treatment is wrong, inappropriate and unfairly impacts upon Mr. Paracha's Sixth and Eight [*sic*] amendment rights, and the court must intercede.

At this, the government panicked a little. Finally, twenty months after my arrest, the prosecutor's office said they would allow me to get visits from my aunt and uncle.

I was naive enough to expect a visit that same week, but it only proved to be a long, disappointing evening on visiting day. After a few weeks Ed asked for a court hearing. On the morning of the hearing they first told me to get dressed for court. Then, before they took me out, they came back and told me to pack up my stuff. I was moving to an empty cell a few doors down. The guard on duty had a wicked smile on his face—he hated all the Muslims in 10 South and was open about it. But I didn't think much of him because as soon as I entered the new cell, I realized that it had perfectly working heat. Then I was told to cuff up for court and I was rushed away for my hearing.

Ed's first question before the hearing was whether there was any heat, and I told him that I had just been moved to a warm cell a few minutes before court. He reacted with an angry smile and then proceeded to tell me what was stopping me from getting my visits. Even though the prosecutor's office allowed both my aunt and uncle to visit me, MCC had its own set of rules that allowed immediate family (who I didn't have in America) and one other person of meaning. Based on that they were willing to approve my aunt as the person of meaning but not my uncle.

I couldn't contain my anger. I had been asking to get a visit through the person of meaning provision since my arrest. I filled out every request there was. I even wrote to the warden, regional and central offices of the BOP. They all pretended that this policy didn't exist. Now they were pretending

that it was there all along. There was no honesty in these people whatsoever.

The judge entered the courtroom, and as the hearing commenced my lawyer raised the issue of bail again. The judge dodged it by asking how things had changed since my first bail request was denied by the magistrate judge back in August 2003. Responding to the issue of my conditions mentioned in the letter, the prosecutor tried to say that they weren't that bad since I could buy thermals and sweat clothes to stay warm, but the judge told him that that wouldn't do much against a New York winter. The prosecutor then explained MCC's stance on my visit issue and that they would allow a visit from my aunt but not my uncle. The judge didn't see the sense in allowing many immediate family members to visit other prisoners while my relatives and I suffered this restriction. He ordered to have them both approved.

I had seen so many defeats and setbacks in the twenty-one months since my arrest that I wanted to believe things were finally changing for the better. But this was the same judge who denied me every legal motion for relief so far that could give me a fairer trial. At least he finally set a date for the trial: March 2005.

When I made it back to my cell that day it was completely ransacked. I remembered the guard and realized the reason for his wicked smile. This particular guard would turn on all my cell lights when he came in for the midnight count. He'd call it in, "Six scumbags," and supposedly "forget" to turn the lights back off.

This day my cell looked like the aftermath of a tornado with everything thrown around or missing, including items I bought from the prison commissary. I asked some other guards to check the log books to see what was taken, because according to policy everything they took had to be written down. But he had only written "nuisance." Over the next few days, I kept requesting and begging different staff members for various items to replace what I had lost, and thankfully I succeeded. Some staff members had no problem giving us items they knew we were entitled to or needed just to make things bearable (such as an extra blanket when there's no heat).

I was really distressed by what this guy had done, but I was equally satisfied that I was able to undo most of the damage he had caused me.

In triumph, I whispered to my mild-tempered neighbor that I got everything back, and I suggested that maybe I should display all my recovered items and make a welcome sign with the guard's name on it. He said no. What I should do is take all my items and place them on the floor in a circle, then sit in the middle of the circle with some of those items on me and a big sign on the back wall telling the guard to go screw himself. I was avoiding profanity since I started reading the Quran and had never heard it from this brother either, which made his surprising outburst even more hilarious.

Nevertheless, I kept my recovery quiet. Staying under the radar was always better. I did make a very detailed complaint about him, because he had violated many rules. A few months later, I was going to be taken out for court again during his shift and as anxious as I was, when I was taken out of my cell I had to do everything to hold back a smile after I heard him ask me in the most timid voice, "Paracha, could you please open your feet up a little. I just need to pat you down for a second." My cell was untouched that day. When I shared the new story with my neighbor he couldn't stop laughing and would repeat it from time to time just for fun.

Finally, in late January 2005, after a lot of persistent effort from my lawyers, I got my first visit—not with the other prisoners but in a special, highly monitored visiting area within the unit. It had been nearly two years since my arrest. While my uncle was able to hide his feelings, my aunt looked visibly distressed by the place, constantly looking around at the cold, hard concrete walls, steel doors, bars and other representations of prison. These images were my new normal but they were completely alien to her world, the world I once belonged to. I was probably in a dress shirt and dress pants looking like I was still at work when I last visited them. But now I was in my jumpsuit, T-shirt, socks and canvas shoes, all of which were the bright orange associated with prison.

During my previous visit, my aunt wanted to see this new movie *Chicago,* and I was getting advice on my new business from my uncle. Now

I was sitting behind a screen, cracking jokes, trying to find humor in the dark place I called home, hoping to get her to smile and feel better. I told her about how this one guard used to announce that it was chow time singing, “Yummy yummy, good for tummy!” A few minutes later I could tell that she was feeling better when she switched from horror to anger and was yelling at me for all the trouble I had caused the family. Asian parents.

10

In late January 2005, I got a visit from both of my lawyers because of a completely unexpected development in my case. It had only been a few months since the legal motion for access to my alleged co-conspirators was denied. We had asked to speak to the other people I was accused of helping and conspiring with, but the government claimed that they didn't have them and that there was no proof that they would be relevant to my case. The judge had accepted the government's position and denied our request just two months before.

The breaking news that Ed and Anthony came back with was that the US Department of Defense (in charge of Guantanamo) had just declassified some documents containing statements from those same people. Their statements were in my favor. They carried weight because the department was getting other information from these individuals that they were using against others. The department claimed that the intelligence was reliable. Completely contrary to the government's denials, these people were not only in US custody but also had information that was important to my case.

The prosecutor's office could have claimed that since they were part of a different department of the government under the Department of Justice, and this was all within the Department of Defense, they weren't lying to the court in their court filings. They could have claimed that they just didn't know. But according to Ed, the statements showed that they were made to some of the law enforcement officers assigned to my own case. There was no room for any benefit of doubt. They had lied to the court knowing full well that they had these people in US custody and that they were beneficial to my defense. Ed told me that they had fallen on a sword and now we also had something upon which to build my defense.

For the next steps, my lawyers expected to revisit the request in the legal motion. This meant that the trial, which had finally been scheduled for March, would have to be delayed. On the last part I felt my heart sinking. They expected that this would push things to fall of 2005 because very little happened during the summer and winter vacations. I went back to my cell more worried about the delay, but I tried to comfort myself with the news of this development.

I was soon in for another surprise. One day I was visited by a staff member with a shot, officially known as a ticket or sanction given to an inmate if they violated any prison rules. For nearly two years I'd had no problems and didn't think I had done anything to expect a shot. Unfortunately a guard had seen me through the camera in the back corner of my cell trying to have a conversation with my next-door neighbor.

When I think about it, it seems so unjust that the Department of Justice expected us to give up our humanity like this. I was in 10 South for over a year and, according to the SAMs, I was not supposed to have any conversation with anyone this entire time. I couldn't ask if they were ready to pray or vent about what we or our families were being put through. I couldn't even say "good morning." Why? Because every time I opened my mouth it was a national security concern. It seemed that the Department of Justice wanted to take away our humanity, but they had already lost theirs.

I tried to defend it through a technicality. My SAMs was only valid for a year, and that year had expired. They hadn't given me a new SAMs yet, so technically I wasn't under one. But they didn't care about technical details and could pick and choose which ones to adhere to.

When I asked the guard why they wrote the shot, they simply said there was pressure from above. Then the unit manager came to play judge, jury and executioner and took away my family visits. I asked him to take something else instead, but he made it clear that the purpose behind this charade was to make sure that I was prevented from getting visits. This was going to be the beginning of a long circus: As soon as I finished one sanction, they found some way to take away my visits again, and tried to push the boundaries on how long they could sanction me with each shot. I

ended up losing visits and calls for many months. It wasn't just the helplessness I felt against the unjust abuse of power, it was also that my aunt and uncle were trying to visit me every week and I was always pushing the authorities to give me my once in a month calls, and the government was working hard to prevent all that.

* * *

In the middle of February we went back to court to have a hearing on the recently declassified material. The prosecutor's body language and tone were of a child caught in a serious lie. However, when the judge spoke, he focused on how he was going to reconsider the motion for access to the witnesses and fixed a new trial date for September 12, 2005. There was no mention of how the court had been misled.

It is when judges stop pushing back on the government and stay silent during such transgressions that the government feels more emboldened and keeps infringing on defendants' rights. After that, the court had *ex parte* hearings in which I wasn't allowed. Because the new developments were related to classified materials, only the judge, my lawyers and the prosecutors had security clearances allowing them to be present for these closed hearings.

Meanwhile, my physical and mental health were still in decline, and I had a breathing problem that had worsened over the last year. Just before I lay down to fall asleep, I would wake up feeling that I couldn't breathe. It felt like someone had given me a jolt like an electric shock. Another new problem started when I woke up in the middle of the night with a tingly feeling in my right arm that was so strong I wanted to tear it off. I tried to beat it with my left fist, massage it, exhaust it through exercise, but nothing made a difference. I felt like my whole right arm had had a keg of Red Bull while the rest of my body was exhausted and wanted to go to sleep.

By June the breathing problem became so severe that I started losing my appetite. I was eating around 200 to 400 calories a day and was losing a few pounds each week. I didn't have a mirror to see myself, but the staff 's

reactions told me that I must have turned into a scary sight. When I walked from my bed to the door I couldn't walk in a straight line and looked like I was under the influence. Ed asked me if I was willing to see a forensic psychologist to evaluate me. Maybe, he said, we could use the findings to get some help from the court regarding my conditions of confinement. But when the forensic psychologist showed up there was barely any mention of the conditions or even my state of mind in general. Instead, it seemed to center around my decision to refuse a plea deal which, to the psychologist, was clearly a sign that my mind had become divorced from reality. I had lost my marbles. Based on the conversation I had with Ed, these were not the questions and exchanges that I expected.

The government failed to realize that their injustices against me were only strengthening my resolve to go to trial. They were losing the moral high ground as an institution that respected the rule of law and I was losing respect for them. They just wanted to win, and right and wrong didn't matter to them. As unbearable as it was, I kept telling myself not to lose focus on the decision I had made after long deliberation.

The usual questions from the psychologists were a checklist, "Are you doing okay?" "Any thoughts about hurting yourself?" I used to argue with them about my need for fresh air. I used to ask them if they had a dog, if they would take their dog out for fresh air, and if I was even less than a dog in their eyes. I complained about the ban on any social interaction and the need for twenty-four-hour lights among other things. But psychologists had no say in any decision over the custody staff and custody had orders about us from the highest levels of the Department of Justice.

When I used the remedy system to complain, I wrote to the warden and the regional and central offices of the BOP. But these were all rubberstamping bureaucracies that served no function except to create a barrier between the inmates and the courts. I tried everything, but the system was designed not to work.

One psychologist who cared a little was hysterical when she saw me. When I got out of my bed and stumbled my way to the cell door, her jaw dropped. I mentioned my breathing problem. She kept telling me that I had

to force myself to eat. It didn't matter to them when I couldn't breathe. But when I lost my appetite and didn't want to eat it was far more visible, even though it was a lot less painful than the breathing problem.

She tried to scare me by explaining what was going to happen if my body didn't get the nutrition it needed. In the beginning, the organs start to eat up the muscle and fat. When the muscle and fat start running out the body starts eating up its own organs. One of the first organs the body targets are the kidneys. When it starts to cannibalize the kidneys, small bits of kidney start turning up in the urine. That is one of the reasons why they start taking urine samples. They also take blood samples to check albumin levels from time to time. If they are too low that is another sign of danger. I registered everything she said, but my body was giving up on me and I felt that there was nothing I could do.

I had some tests that showed that my lungs were fine, but they gave me asthma medication just to see if it would help. Then the medical personnel suggested that it was psychological. After months of denying me, the psychology department finally recommended me to a psychiatrist. She spoke to me in detail and concluded that I had a history of claustrophobia that had become worse in solitary confinement. She prescribed Paxil. It was going to take a few weeks to kick in but the side effects started immediately. The next morning I was in a complete and permanent fog.

In August 2005, Ed tried to discuss the findings of the forensic psychologist in a court hearing. He argued that the conditions of confinement were taking a toll on my mental and physical health to the point that I couldn't be an effective participant in my own trial. Now that I was under the influence of an anti-anxiety pill on top of everything else, he probably had a very strong argument. But through the fog, something else got my attention. It seemed like he was really pushing the point that I was not fit to stand trial. That suspicion never left my mind until I once asked a cousin who was in close contact with my lawyers. The way Ed put it could just have been used to ask for bail or better living conditions, which he did bring up. But he also implied that I wasn't thinking straight and that the decision of pleading guilty or not should be taken away from me. I asked

my cousin if they were planning to have me committed and plead guilty on my behalf. My cousin admitted that they wanted to try this option because I wouldn't listen to anyone.

Going back to that hearing in court, I had my suspicions but wasn't yet sure what was going on. The judge wasn't buying Ed's argument. He said that I looked pale but not so bad that I was unfit to effectively participate in my own trial. My normal weight used to be around 150 pounds, but in the seven weeks before this hearing it had come down to 109 pounds around a week before the hearing. The judge wanted to speak to me directly. He asked me how I was doing. I said fine thank you and then I think I asked how he was doing. Ed corrected me that the judge was asking how old I was, not how I was doing. He then asked me some details about my health and I explained about the breathing problem, the session with the psychiatrist, the claustrophobia, the Paxil, etc. I also mentioned that medical personnel tried to give me Ensure but I had lost my appetite.

The judge determined that no intervention was needed, but he asked MCC to have me examined by a medical doctor. They also discussed that it might not be a good idea to start a terrorism trial a day after the fourth anniversary of the September 11 attacks, and last-minute preparations were made to move it to late October 2005.

A few days later, I was handcuffed and shackled to be taken to a physician. The lieutenant was nagging me during the entire move about the need to eat. When the doctor put a stethoscope on my torso my teeth started to chatter uncontrollably and my whole body started to shake violently. I asked them what was going on and the lieutenant, who was a registered nurse by training, told me that because I had lost all my body fat, I wasn't able to tolerate any contact with the cold stethoscope.

It was a very small minority of staff members who had the courage to resist orders from above to give us a hard time. Those who resisted were reprimanded or sooner or later transferred elsewhere to get them out of the way. I could see the embarrassment on their faces when their treatment towards me was forced to change. One of my neighbors used to say that

there are good and bad people everywhere. What matters is who is in power.

* * *

Being in 10 South alone was enough to drive a person insane. If an inmate caused problems in the regular SHU in 9 South, they would punish him by bringing him to 10 South for a few weeks and he would start losing it. One such inmate was a Hispanic man who didn't speak English—he would save his own excrement and plaster it all over the walls. I remember when I woke up one morning and the lieutenant was begging me to talk to this guy and calm him down. He put his excrement in a Styrofoam cup and wrote the name of the guards who were working that shift. He was going to throw it at them when they opened the slot to feed him. I didn't want him to get into trouble and tried to talk, and eventually (despite the language barrier) I succeeded in getting him to flush that stuff down the toilet. I didn't even get a thank you from the staff.

Another inmate was so fed up with being forced to live on such little food that one day he lost it and took off all his clothes and sat like a statue on his bed. Their solution was to sanction him for indecent exposure because of the two cameras in his cell. He wasn't some pervert. He had a mafia case. He was simply pushed past his limit. Another inmate would start banging loudly on the shower wall for six to eight hours if he was provoked by the guards. This is what happened to those inmates who came for a few days, weeks or a month. When I was about to go to trial, I had been there for twenty-two months, after being in the regular SHU for an additional nine months. And there were a few people with cases like mine who had been there for even longer.

My routine in prayers, and my time with the Quran, preserved my sanity to the extent that it remained intact. It was a huge blessing, without which I wouldn't have made it. I do not claim that the strength came from within, because I know I didn't have it in me. It would be a divine blessing that I would be lying to claim credit for.

To the guards, our ability to keep our sanity better than the other inmates seemed strange to the point that they had dehumanized us. But as a friend once put it, if you cut the skin with a blade, it inevitably bleeds. In the same way, if you put enough pressure on the mind, it will also have an effect on a person's sanity. We went through it. We tried to do it with as much patience as we could. Because we looked different, had an accent or came from a different faith, we were the other. But we all went through the trauma and pain like everyone else.

One of my neighbors, who was also going through a terrorism case like mine and was younger than me, had a brother who passed away. He was under a sanction and wasn't allowed to make any calls, but by BOP policy an inmate is given a phone call with their family on compassionate grounds, such as a death in the family. But we weren't human enough and MCC refused. Since he had Canadian citizenship, his consulate put pressure on the administration. I was asleep in my cell when I overheard a senior officer from Special Investigative Services (the FBI of the BOP) yelling outside my neighbor's door about the call and the fact that he didn't like all the pressure being put on him to arrange it. He finished his rant by saying that he would allow this call, but this was the last time. Next time he didn't care if my neighbor's mother died, he wasn't getting any more special calls on compassionate grounds.

This was very different from another story, in which a CO knocked on my door one morning to give me my breakfast. I was awakened out of my drowsiness when I saw the comical sight of a hairnet on a completely bald, obese man asking me, "Mr. Paracha, would you like to have your lunch?" "Would you like a utensil with your meal?" I had never been talked to like this. I was very suspicious. When I looked at my meal, I saw cherry tomatoes, baby corn and all types of fresh vegetables. None of the brown rejected stuff I was used to.

Later, I found out that John Gotti Jr. had arrived in 10 South a couple of days prior. After his lawyer visited him, he told the press that his client was being kept in this awful part of the prison with a bunch of terrorists. Hence the suspicious courtesy. They moved John Gotti Jr. to a different unit within

a few days. The food went back to what it used to be, where the guards would tell us how disgusting it looked when they handed it to us. Everything went back to the way it was. Once, when I complained about the food to a lieutenant, he tried to prove to me that it wasn't so bad, and he asked a CO to try it. The CO refused and told me later that he had been asked to do this before and he told them, "I ain't eatin' that shit!"

As the Paxil started to kick in over the next few weeks, I finally started breathing normally. The extreme shortness of breath went away. My appetite also improved. The trial date was getting close, and some preparatory hearings were coming up in late October and early November. Jury selection started on the 9th, and it was a learning experience. The prosecution preferred the typical middle-aged white male and liked the idea of someone who was related to a law enforcement or military officer. They really liked a specific female who had a friend who died in the 1993 World Trade Center bombing. That woman was so eager to be a part of the jury that even the judge was suspicious.

On our side, we preferred middle-aged women, minorities or someone who had a close acquaintance who had been in trouble with the law. In other words, the prosecution wanted those who could support them in the War on Terror, and our best bet was to get those who were skeptical of the government. Our preference was more general because when you are a young, nonwhite, Muslim, male defendant from Pakistan, how can you get a jury of your peers?

After more than thirty months I was wearing a suit and tie again, but a suit felt more awkward than nostalgic because the past two and a half years of scars couldn't just be erased from my mind. I wasn't able to see myself in the mirror, but I had no doubt that I wasn't able to wear it as well as I did, given all the health and diet issues I had been through during my incarceration. The Marshalls were okay in the beginning, but as the details of the case came out in court their attitude also changed. I had a crate full of my legal work that I was bringing to court every day. Since I was handcuffed and shackled, they first offered to bring my papers for me. But after a couple of days, they handcuffed me behind my back and told me to

pull the crate behind me as they attached a chain to it. One of the Marshalls commented that it probably wouldn't turn out well for me because in his experience, the less paperwork you have, the more likely you were to go home. He mentioned a guy who came with a single sheet of paper and went straight home after the hearing.

The Marshalls certainly didn't make things easy, but the most difficult part of any court appearance was always that they needed me to be ready by between 5.30 and 6.00 in the morning and move from one holding cell to another until I was taken up to the courtroom. Every inmate who has ever been to court is aware of how cold the holding cells can be. Desperate inmates would put their hands inside their pants or shirt to stay warm. The air conditioner unit's blower was covered as inmates would take wet toilet paper and try to block the air conditioner. I couldn't review my legal work or read the Quran because nothing was allowed in the holding cell. Every single court appearance happened after staying in a freezing cage for a few hours with nothing to do but endure the cold.

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My trial took place in November 2005 at the United States District Court for the Southern District of New York—a building considered to be one of the most prestigious and historic federal courts in the whole country, having dealt with a number of extremely high-profile cases. The grandeur of the building seemed like overkill to me. How could my little case, regarding a little immigration assistance I gave to someone I barely knew, turn into a massive terrorism trial that landed me in this court and my father beyond the reach of any recognizable law in Guantanamo Bay?

The judge's bench was elevated as if it were some kind of dais, a clear symbol of his authority—perched on his vantage point to send down judgment on those who came before him. The bench was made of a dark, polished wood—maintained to ensure the formality and significance of the proceedings.

As much as this was a trial, it also felt like a circus to me. There was the slightly elevated witness stand, the clerk's desk, the court reporter's station, the jury box, the counsel tables and finally the public gallery.

The trial began with spiel from district Judge Sidney H. Stein, a middle-aged man who had graduated from Yale Law School. Speaking directly to the jury, he reminded them of my right to be presumed innocent, and that the jury should not hold any prejudicial views towards me, regardless of what the indictment said. This was somewhat laughable considering the way I had been treated so far in 9 and 10 South, and how the entire BOP system, the prosecutors and the judge had already prejudged me as guilty due to the way they had tried to coerce me into a plea deal.

The prosecution, led by Karl Metzner and Eric B. Bruce, immediately began setting their case out against me. In a great deal of showmanship, they presented their remarks to a New York jury on how there was some

grand conspiracy taking place that involved Al-Qaeda agents infiltrating US borders—one of which was me. This was still only four years after the 9/11 attacks, and so the idea of foreigners coming into the country to attack Americans was still very much fresh on the minds of the population—how it could be expected that I would receive a fair hearing before a US jury, let alone a New York jury, in this climate was anyone's guess.

The prosecution's case attempted to take various facts that they had about others, and somehow situate my father and I within that narrative. Their basic argument ran that in early 2003, there were four men attending business meetings, which also included meetings regarding Al-Qaeda operations—those four men were Ammar al Baluchi, Majid Khan, my father Saifullah Paracha and me:

> *Now finally the fourth man who was at these meetings is in this courtroom—he's sitting right here—the defendant, Uzair Paracha … [who] agreed to betray the United States by working with Al-Qaeda to get Majid Khan back into the United States … we will further prove to you that when Uzair Paracha was helping Majid Khan sneak back into the United States … Uzair Paracha knew beyond any reasonable doubt that Majid Khan was a member of Al-Qaeda …*
>
> *Paracha agreed to use Majid Khan's credit card and make deposits into his bank account here in the United States so it would look like he never left the country … [he] agreed to call the INS on behalf of Majid Khan and pretend to be Majid Khan and inquire as to the status of his refugee document … And finally [he] agreed to monitor a post office box in Gaithersburg, Maryland, where the INS was supposed to send this refugee travel document to Majid Khan, and he agreed to go get it, forward it to Majid Khan in Pakistan, and then close this post office box.*

Karl Metzner ended his opening remarks to the jury by informing them that I was facing five charges: the first set for conspiring to provide material support and services to Al-Qaeda; the second for actually providing that support; with the last related to engaging in identification document fraud.

Sure, if we're honest, I did engage in that final fraud. But for the purposes of Al-Qaeda, that was something far beyond my knowledge. I just thought I was helping another Pakistani man out.

Our defense case very much rested on attempting to show the jury that at all stages of my interrogation, I had effectively been coerced into the current case against me. My lawyer, Anthony Ricco, summarized those difficult days in his opening remarks to the jury:

> *No matter what [the prosecutor] got up here and said, the evidence will show Mr. Paracha is presumed innocent. … [He] was subjected to continuous interrogation … for 72 hours without access to an attorney. Without being allowed to contact his family. His cellphone was taken from him. He was not allowed to contact his family … [to] tell them that he's with the FBI being questioned non-stop … [he] was taken to a hotel by the FBI so that they could continue their questioning uninterrupted, no access to the outside world. None. … [A]gents slept in the room with Mr. Paracha. Not one night, not two nights, but three nights … when he asked about getting a lawyer, they told him, if you ask for a lawyer, you are going to jail …*
>
> *[W]hat you have to do is analyze whether or not this is a confession which is a true confession or something that we've come to know about called a false confession … and the evidence will show you that the statements are inconsistent so much within themselves and with the reality of a situation that they're false.*

By this time we had managed to obtain exculpatory statements from Majid Khan and Ammar al Baluchi that explicitly stated that my father and I had no knowledge of their involvement with Al-Qaeda. There could not have been any intent on my part to assist in a terrorism plot—if nothing else, the very most I could be accused of was a twenty-something's naiveté, trusting people I knew next to nothing about.

The prosecution case then began in earnest, as they called their own witnesses, beginning with the FBI case lead agent, JM. Prosecutor Metzner

perhaps thought they would try and frontload an attack against our defense case by starting with the case agent's recollections of the interviews they conducted with me, based on a 302 statement they would type after meetings with me. Metzner confirmed with the agent that my interrogators did not audio or videotape the interview with me, nor did they take significant contemporaneous notes:

> *Prosecution: Now did you ever formalize those notes into some sort of report thereafter?*
> *Agent: Yes; it's called the 302 which is a report that the FBI agents write after looking at their notes …*
> *Prosecution: Now when did you prepare your first draft of that report?*
> *Agent: It was that Sunday evening on March 30th.*
> *Prosecution: And did you finalize it thereafter?*
> *Agent: Yes. Approximately a week later. ... he told us he thought Majid Khan was trying to get into the United States to wait to do something, but he didn't know what that something was … [he] wanted to give approximately $180,000 to $200,000 to invest in their company … he knew the money was going to be invested in the company was Al-Qaeda money ... [he] said to him we need brothers like you to help us out … he stated that he did call [the] INS posing as Majid Khan, however he did not have Majid Khan's id number so he couldn't get any further information … [he] advised that he did not perform any of the other tasks … he thought it was implied that he do the task for Majid Khan … to receive the money from Al-Qaeda … he met a person who was a Pakistani scientist … met him twice before coming to the United States. And this person's job was to develop chemical weapons for Al-Qaeda … Majid Khan having an IT degree … he would be used in a plot to set off chemical weapons … with meeting the scientist within a month coming to the United States, and the fact that Majid Khan and Ammar al Baluchi were going to give him $200,000, and the fact that Mr. Paracha was asked to help Majid Khan get into the country, and the fact that Majid Khan was wanting to get into the country within a month, he thought*

there was a terrorism plot being planned but he did not know what the plot was … [he] knew he was part of the plot and that he was helping Al-Qaeda out because he knew that Ammar al Baluchi and Majid Khan were part of Al-Qaeda.

It was genuinely amazing to me that the statements I made during the interrogation had resulted in such a clear fabrication of what I had been telling the agents. At no point did I acknowledge that I knew Ammar al Baluchi or Majid Khan were Al-Qaeda agents, and yet here was the FBI agent very clearly lying based on a fictional narrative he had created days after the coercive interviews I was subjected to. This was pure fiction, like I was hearing the story of someone else's life for the first time—clearly there was a reason why Hollywood had so much success—these people were master storytellers. Except their world of make-believe had serious consequences for me.

After each witness the prosecution called, our defense team was permitted an opportunity to examine their testimony. Ed was leading on the cross-examination of the FBI agent, JM, to try and show the jury that the statement that they claim represented my words could not be the case at all, and rather a fiction made up in their own mind. They wanted to show that at no point was I permitted legal representation to protect my rights:

Ed: [D]id you testify on direct examination that … that you overheard Mr. Paracha asking some unidentified agent about a lawyer, right?
Agent: That is correct.
Ed: [D]id you or anybody else that was interrogating him, say to Mr. Paracha … maybe you want to consult a lawyer, these are your rights. Did anybody say that?
Agent: No. ... [H]e stated something to the effect that he needed a lawyer, that he was asking somebody if he needed a lawyer.
Ed: Wait a minute. Did he say he needed a lawyer?
Agent: No. ...

Ed: Now, when you were getting your FBI training, did they explain to you the reason behind the policy [of not transcribing or making a video or audio record of interrogations]?
Agent: Yes.
Ed: And what is the reason behind the policy?
Agent: That they would prefer the agents to do their own notes and then write up the reports afterwards.
Ed: They didn't tell you that the reason it was, or that the policy exists, is so that it's your word of what occurred without any other record?

Throughout the case, the prosecution raised a number of objections to our line of questioning—many of them related specifically to ensuring that the integrity of the FBI and their processes were at no point undermined. All I saw were the structures of the state working to support one another at any cost. Ed wanted to extract from the agent that I was actively being denied legal representation, but it's truly incredible to see the semantic gymnastics that the FBI are trained to perform to deny their own malfeasance:

Ed: And what did you tell Mr. Paracha what would have happened if he … if he got a lawyer?
Agent: I told him if he was under arrest, that he … we would not be able to talk to him until he got a lawyer.
Ed: Well, he wasn't under arrest, right?
Agent: That's true. ...
Ed: Well let me ask a question. He didn't ask you if he was under arrest or not under arrest, right?
Agent: That's correct.
Ed: He asked about a lawyer?
Agent: That's correct.
Ed: And you brought up the arrest?
Agent: That's correct.

There was a great deal made of the fifteen million rupees that my father had sent to me as part of our business, which was equivalent to around $270,000. The prosecution had attempted to show that at all times I knew this money was for Al-Qaeda, but Ed carefully unpicked how they had never even bothered to check my father's business transactions in order to understand the provenance of these funds. Instead, the FBI took it for granted that such amounts must be for the purposes of Al-Qaeda's operations. I couldn't help but think there was some degree of jealousy regarding these successful Pakistani businessmen, which was an important underlying reason for their hostility towards us.

Ed: I would like to direct your attention to May 2003.
Agent: Okay.
Ed: There was a large cash deposit at that time, isn't that correct?
Agent: Yes. On May 6.
Ed: How much was that?
Agent: It was 15,418,400 rupees
Ed: Rupees. And did you convert that to U. S. dollars?
Agent: Yes. It is approximately $270,000.
Ed: You don't know where that money came from, right?
Agent: That's correct.
Ed: You don't know if it came from [his father's] business or not, do you?
Agent: Not from the records, no. ...
Ed: Did you ever give Uzair Paracha an opportunity to write out a statement in his own words?
Agent: No.
Ed: Did you ever give Uzair Paracha an opportunity to review any of the statements that you had drafted with respect to statements that he allegedly made?
Agent: No, he did not review them. No.
Ed: Is that also FBI policy, like no recording?
Agent: No, not necessarily. No.
Ed: It is just something that you did in this particular case.

Agent: Right. I didn't have him review my statements. We went over them verbally.
Ed: You went over them verbally?
Agent: Uh-huh, yes.
Ed: Do you mean all at one time, or—?
Agent: No. During different proffer sessions we went over the material that, or information that he talked about the first three days.
Ed: But you didn't give him an opportunity to sit down and review and read the statements from the first three days?
Agent: That's correct.
Ed: And none of the documents or reports or any statement, as attributed to Uzair Paracha, is signed or dated by him?
Agent: That's correct.

Following the evidence of the FBI agent JM, the prosecution called the case lead detective from the New York Police Department, TF. He presented to the prosecution that I had hit the emergency panic button in the interrogation room during the part of the interview where I had allegedly admitted to meeting a Pakistani scientist who had been recruited by Al-Qaeda to develop a chemical weapon. The lies were becoming increasingly fantastical—and yet this was all being played out in a US courtroom.

Ed finally had his chance to cross-examine TF. While agent JM said all our conversations were cordial, Detective TF admitted to pressing me because they didn't just take no for an answer. While the 302s stated that I told them that I didn't know why my father put me in the position he did, the detective admitted that I was asked why my father would put me in this position and only said I didn't know, and at that point in the interrogation I told them that Majid Khan had never said anything about being Al-Qaeda. The rest of the cross-examination spent time on the 302 again, which was so central to the prosecution's case and yet so devoid of any truth or reality —this was a fix up—in the classic way you see in the movies. Except, this time, it was my life that they were seeking to destroy:

Ed: Now, you, along with agent [JM] and Detective [TM] decided how this report would be phrased, isn't that correct?
Detective: Yes.
Ed: And you never showed Mr. Paracha a copy of the report, did you?
Detective: No.
Ed: You never asked him to sign a statement, did you?
Detective: No.
Ed: Never videotaped him, did you?
Detective: No.
Ed: Never used an audio tape, did you?
Detective: No.
Ed: And sir, you've employed all of those techniques in your career as a homicide detective, isn't that correct?
Detective: Yes.

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A great deal of my defense case rested on the way in which the FBI and NYPD conducted my interrogation. It was crucial for Anthony and Ed to show the jury that at no point was I given a real chance to seek legal counsel, and that I was threatened in ways that became coercive. In order to do that, we needed to question the officers involved in my "detention" at the hotel to which I was taken to after each interrogation.

Anthony was keen to show the jury that at all times the police and FBI had full control over my life, and that my options were severely limited:

Anthony: Alright. Now, when Uzair Paracha asked you the question, "Could I go home?" Can you tell us how that was asked? Was it—was he—do you understand what I'm saying? Did he just make a statement? Was he asking you your opinion? Was he—was he asking for help?
Prosecution: Objection, your honor.
Judge: Sustained.
Anthony: To the best of your recollection, could you explain to the jury how that conversation came about?
Detective: Well, I can't be sure what was going on in his mind, naturally. Maybe he didn't like the way the room looked, you know, the hotel. ...
Anthony: Do you remember testifying in a prior proceeding? Page 125 line 8, do you remember testifying in a prior proceeding?
Detective: Yes.
Anthony: Do you remember being asked this question and giving this answer: "Question: When you were speaking with Mr. Paracha in a hotel room, isn't it a fact that he asked you, do I have a choice to go home or stay in a hotel room? Isn't that what he asked you? Answer: Yes, more or less in those words." Did you previously testify that way, under oath?

Detective: Yes.

There is an assumption of honesty that pervades the system. No one wants to entertain the possibility that the police and FBI might intentionally misconstrue my statements in order to create the image of a terrorist because the fundamental assumption is that these officers are fair minded—without any of the racial prejudices that blighted the system.

The other branch of my defense rested on procuring statements from individuals who had been tortured into giving statements against hundreds of individuals, whether right or wrong. Many years later, when Senator Feinstein released the Senate Committee Report on the CIA torture of Muslim detainees caught in the global War on Terror, the CIA were forced to admit that many individuals they tortured were completely innocent, and that their names had been falsely given during the torture sessions due to the intensity of the torture. It was in this context that in March 2003, the same month of my arrest, Khalid Sheikh Mohammed was water-boarded 183 times (a form of mock execution through drowning). Hundreds of names were given to his CIA captors, including the name of my father. The FBI's interest in my family could be traced back to the most extreme forms of torture. For that reason, we needed statements directly from those who the FBI claimed were instrumental in identifying our family as being complicit in Al-Qaeda's operations.

Eventually we were able to access statements by Ammar al Baluchi—the nephew of Khalid Sheikh Mohammad (KSA)— who was severely tortured in CIA custody in black sites around the world. We also procured a statement from Majid Khan—the man who I thought I was assisting on a simple immigration matter.

During the stipulation instructions, the jury was instructed that the witnesses had been segregated from each other, weren't able to coordinate their statements and had no contact with me since my arrest. The statements were taken under circumstances that were designed to elicit truthful and accurate information from the witnesses because the statements are relied upon by the US officials responsible for making national security decisions.

Failing to provide truthful information would be detrimental to any relationship to the US government by these witnesses. Those who questioned the witnesses had a profound interest in obtaining accurate information from the witnesses and in reporting that information accurately to those who can use it to prevent acts of terrorism and to capture other Al-Qaeda operatives.

Ammar al Baluchi:
Uzair Paracha was totally unwitting of al Baluchi's Al-Qaeda affiliation … Uzair Paracha knows nothing about operations … Neither al Baluchi nor Majid Khan indicated to Uzair Paracha at any time that they were mujahideen or Al-Qaeda … Saifullah Paracha was unwittingly being used … Saifullah Paracha was someone … from whom he kept his Al-Qaeda connections hidden. Although Saifullah Paracha had a long-standing relationship with Khalid Sheikh Mohammed, Saifullah Paracha did not know KSM's true identity, or any other name for KSM … Saifullah Paracha did not know that KSM was affiliated with Al-Qaeda until the world-wide publicity of KSM's arrest … Saifullah Paracha has no relation to this business, that is Al-Qaeda.

Majid Khan:
Majid Khan did not know of any funding or investment al Baluchi gave to Saifullah Paracha … No compensation was given to Saifullah Paracha in return for him arranging for Uzair Paracha to assist Majid Khan with Majid Khan's immigration matters. Majid Khan assessed Uzair as being willing to help a fellow Muslim at his father's request … [he] knew of no other motivation for Uzair Paracha's assistance … [and] would only give Uzair Paracha a 5 to 10 percent suitability assessment, citing the fact that Uzair Paracha had no extremist views and was not really a practicing Muslim.

For me, these statements were the smoking gun of my case— surely they were enough to result in my acquittal. Except I probably wasn't

prepared for the extent to which such statements, read out in court, would be seen as an Al-Qaeda conspiracy to ensure that I was freed. It's so ironic that the statements that were true by Al-Qaeda members were not believed, and the statements made by the FBI and police that were total fabrications were taken as if they were written in stone.

* * *

In the years leading up to the trial, both my lawyers were constantly stressing that I would have to take the stand during my trial, otherwise we were guaranteed to lose. We had discussed it until I got tired of hearing it again and again. But after the start of the trial, they both felt that things had gone well enough and maybe I didn't need to take the stand after all.

I could be wrong, but I thought they simply said this to have it both ways. They were the ones who sold me on the idea in the first place, with different nuanced arguments in favor of testifying. Juries hold it against a witness if he chooses not to speak for himself. So, I decided that I was going to take the stand. I don't know whether it was worth it or not, but my worry was that in terms of quantity and quality we had only the substitute statements in my defense. These words weighed poorly against the many hours the jury saw of real-life witnesses: law enforcement officials. They could sit and look at them while they presented their side of the case. I wanted them to have someone they might be able to relate to, but I only had myself to offer. So I took the stand.

Ed: When you contacted the INS, did you pretend to be Majid Khan?
Me: Yes I did … Majid Khan … told me that he had come to Pakistan to see his wife … she was expecting a baby … After the son was born, it was time for him to go back and continue with his job. But his passport had expired, and he needed help with the new passport in order to go back and continue with his work.
Ed: Now, what happened when you actually contacted the INS?

Me: When I asked them what information I would need to find out about a delay in the status of the passport, they asked me where I had applied from. I said I did not have that information and they told me I needed that information, hence, they could not help me. ...
Ed: Now, sir, I want to turn your attention to another area. Why is it that you came to the United States?
Me: I came to the United States on a business trip. My father had recently purchased a building. He wanted to sell apartments ...
Ed: And while you were in the United States, did you sell any shares in the building?
Me: Yes. ...
Ed: When you were initially detained by the FBI did you receive a hot meal? ...
Me: No sir, I did not ... Because sir, I just wanted to go home. ...
When I had been asked by [TF] if he could question me, as soon as we sat down in the Chanco office, he had asked me to turn my cellular phone off so there would be no interference. Shortly thereafter we had left for the FBI office. And he—I was not allowed to call my family after that. Nor was I allowed to go home.
Ed: Now when you were initially detained during this period by the FBI, that is March 28 through 30th, did you ask to contact an attorney? ...
Me: The first time, it was during the break in which I asked the gentleman—I don't know his name, nor do I remember his face. But I asked him what his advice would be regarding me getting a lawyer. ... The second time was, I had asked agent [JM] if she thought I needed a lawyer. And she told me that was my decision, but if I did choose to have a lawyer, then I would be arrested and I would be taken to jail. ... The third time was—I believe it was the same night. I spoke to [TM] the detective. And I asked him if I needed a lawyer, if he thought I should have a lawyer. And he—he told me pretty much the same thing that agent [JM] had told me, but he also asked me if I had the name and number of a lawyer. I said, I didn't. ...

The fourth time, sir, was when it was after my rights had been read to me. It was the 29th, which was a Saturday. During the discussion, it—it got kind of heated. And I just exclaimed, I said, "I want a lawyer." And I looked at agent [JM] and I looked at detective [TF].

Ed: And what happened when you made that proclamation?

Me: I don't remember what I said after that, but I asked them—I think I asked them what would happen now. And they said, "We cannot speak to you right now, you have already asked for a lawyer." And they—they—I believe [detective TF said], "Now you are going to have—well, now we have to proceed with the other—the rest of the process, which is to arrest you and take you to jail."

I was very scared, so I said, "I take my decision back, can I do that?" And I was told I could. So I took my decision back and resumed.

Ed: Now, at the end of the questioning on Saturday morning, Saturday evening, and Sunday evening, were you taken to a hotel, sir?

Me: Each night. ...

Ed: Did you agree to go to a hotel, did you think that—was it—your understanding of that you could have gone home? ...

Me: No, it was not. ...

Ed: Now, when you got to the hotel, the first night, or early Saturday morning, did you have a conversation with the detectives or agents who accompanied you to the hotel? ... Did you ask agent [BF] if you could go home? ...

Me: What I asked him was if—if I had a choice. And he told me, "What did the officers tell you who were with you? They know what is going on with your situation."

I asked him, "Well, I don't know whether I'm under arrest, or why I'm here." He did not answer that. So, I thought he was left a little speechless. I asked him, "Well, am I"? And again, he repeated, he said, "Why don't you ask [TF] that tomorrow."

I said, "I'm asking you right now." And he said, "You are being detained." After he said that, I said, "Well, if I'm being detained, then that means I'm not under arrest, so can I go home?" His response was

that, "Why did you ask for a hotel room?" I said, "I did not ask for a hotel room. I thought I was going to stay in an interrogation room. All—all I was told, that a hotel room had been arranged for me." He said, "Well, we're already here now." And I said, "Yes. But I wanted to know if I can go home, Do I have a choice?" He said, "Shut up and go to sleep."

After being questioned by my own team, it was the turn of the prosecution to question the veracity of my statements—an experience that I wouldn't wish on anyone due to the hostility with which prosecutors treat you, the masters of "gotcha" type questioning. The prosecution's entire line of questioning attempted to present me as someone who was compliant at all times with the police and FBI investigation and that at no point was I coerced because I never actively asked to go home—even though it was clearly implied at all times during my detention.

Prosecution: And you never said, "I want to go home right now." Correct?
Me: There were two occasions when I—I mentioned that I wanted to go home—
Prosecution: But you never—
Me: Specifically.
Prosecution: But you never decided to go home did you, sir?
Me: Sir, there was an occasion when I was being taken to the hotel room—right before we left—and I said I don't have my clothes, can we go home and pick up my clothes. And I was told my clothes were already there. They asked me what I needed, so they could take the stuff out of my suitcase. I did not know that my personal effects were in the FBI office. . . The other occasion was when I was approached by the agent about the consent to sign the—the consent to search my place. I had volunteered to actually go home and bring the items myself. And I was told that would not be possible. I said I would be willing to go with the agents too, and I would give it to them right there. I was told that would not be possible. That is when I gave the consent. I had implied, twice, that, I—wanted to

go home, for just a few minutes, or to retrieve something. And I was already told that that was not an option. And there were instances during the second and third day, when I said, "When can I go home?" And I was told, "There's going to be a long time until when you actually go home" … I was taken some time on the night of Friday and Saturday. And then certain other items were also taken from me, so it—I was told it was for my own safety … I know my shoelaces were taken … And my belt … sometime after I actually arrived at the FBI office, because it was that issue with the alarm … I was trying to open the window. I was getting claustrophobic … They asked me if I had my keys with me, the house keys. And I said, yes, I did. And they asked me for my keys, and I gave them. I gave them this whole thing. ...

Prosecution: Now, nobody at any time, had frisked you or patted you down, had they?

Me: ... Sir, I was strip searched on the night that I was in a room that wasn't the Best Western. I don't know what night it was.

Prosecution: This was before your arrest, sir?

Me: Sir, yes.

Prosecution: You were strip searched?

Me: Yes sir, I was.

Prosecution: Tell us what happened.

Me: So, there were three agents. When we got to the room I was asked to strip. And I said, as a Muslim, I can't strip in front of another man, so is it possible that only one of you could be there at that time? It's quite shameful.

There were three people at that time, two of them turned around—they were still in the room—and one of them asked me to strip. We did a pretty lengthy routine. Turn your ears, go through your hair, turn around, touch your toes with your hands. It was everything, sir.

The cross-examination was obviously very tough. The prosecution just kept asking me if I said A, I said B, I said C, etc., in my statements during the weekend and proffers. Even though it was never a simple yes or no for

me, those were the only two answers I could give. And it was my constant yes answers that the prosecution was relying on to bring the jury back to their side. I kept repeating my yes answers and it had its expected effect on the jury.

On rebuttal the prosecution brought the two main case agents to ask if they knew anything about me being strip searched. They both denied any knowledge and the agent said that it was against FBI policy. But on cross-examination they admitted that they didn't always speak to the agents who took me to the hotels.

By this stage, the case had been completed and all that was left was for the defense to rest and for both sides to make their closing arguments. The government was allowed to speak twice, both before and after our closing argument. If anything, the defense should've been permitted to speak twice. It was my life on the line, after all.

The prosecution went first:

> *You now know that the heart of this case comes down to one question: Did Uzair Paracha know that Khan and al Baluchi were Al-Qaeda members, like he said he did? Or, did he falsely admit that to the agents and then repeat that same lie over and over when he met with the government with his lawyer after his arrest? The answer is simple. He knew. He wasn't lying. ...*
>
> *Nobody made him come to those meetings. Each and every time he is there by his own choice in an effort to cooperate with the government … Paracha was told that he wasn't under arrest, that he didn't have to talk to the investigators if he did not want to … [he] could have gotten up and left anytime he wanted … And if they don't like your answer you get up and leave.*

They didn't want to leave the substitute statements alone either, saying, "you should use your common sense when evaluating whether to believe these statements from two Al-Qaeda terrorists," conveniently leaving out that the government itself was believing the information they were giving—

relying on the version that was extracted under torture. That subtle seed was all the excuse that was needed for any juror still struggling with some reasonable doubt to dismiss the substitute statements as nothing more than one terrorist helping another.

Ed and Anthony both raised their objection, but the judge couldn't understand what the problem was, since we had signed a stipulation agreeing that these two people were in fact from Al-Qaeda. The judge had specifically instructed the government not to say anything to undercut the credibility of the statements, but the judge couldn't see that that was exactly what the government had just done. He suggested that Ed could say something during his closing but no matter what he said, the damage could not be undone.

Then it was our turn to present our closing arguments—our very last chance to convince the jury of my complete innocence, or at the very least that there was enough doubt cast on the FBI's case to keep them from stripping my life from me. Anthony stood up and addressed the jury of "my peers" in the hope that he would be able to reach their common sense:

> *Do you think those FBI agents went to his office looking for him, took him down to 290 Broadway, had him in a room, questioned him, sent him to a hotel, didn't feed him, didn't give him one blessed thing to eat, and questioned him from 6 o'clock in the evening till 4 o'clock in the morning, but he is going to say, you know what guys? I've had enough. I want to get up and go. Are you kidding me? These agents are hunting terrorists. They have a serious job to do. And if they thought he was a terrorist, or knew something about terrorism, he is just going to get his coat and walk out the door, see you later? I'm out? Please! Talk about straining believability. ...*
>
> *Nobody asked the questions, or looked at what was being said, or went beneath the bare statement that was being made to ascertain the truth or veracity of what was being said. And how do we get to this point? Well, let's think about it. The questioning of Mr. Paracha was not videotaped, it was not audiotaped so that there would be a memorialized*

record for the world to see and/or hear, because of FBI policy. A policy that is designed to put you jurors in the position of making a decision about what happened during an interrogation, of having to rely on a memory of the agents, who come in and smile, and tell you I am one of the good guys and believe me. Believe what I'm saying.

After Anthony's closing remarks, I was hoping any jury would recall the facts of the case and choose not to convict—but too many ordinary people believed that they were involved in an existential fight against terrorism, and the prosecution relied on that. As the prosecutor delivered his final comments to the jury, I was reminded that this entire system was designed to convict people like me, and that the jury would inevitably play their role:

[T]he defendant would have you believe that of the millions and millions of people living in Pakistan in 2003, he happened to innocently meet two sworn members of Al-Qaeda. Now, even if you could believe that for one moment, you would have concluded that that was a stroke of extremely bad luck for the defendant.

Then, on top of that bad luck, you would have to conclude that after innocently meeting those two sworn members of Al-Qaeda he agreed to help one of them sneak back into the United States. And with that mis-step, you would have to conclude that the defendant's luck just went from bad to the worst luck ever known to man. He would have to be the unluckiest man in the world for that to actually happen.

And then, on top of all the horrible luck he has had so far Uzair Paracha would have you believe that when he is questioned about these events by terrorism investigators here in the United States, he happened to also falsely confess that the two people who are Al-Qaeda, were Al-Qaeda … does that make any sense to you that agent [JM] and detective [TF] took this man's belt and shoelaces from him so that he was walking around all weekend with no shoelaces, but they took the time to bring him his clothes and his own pajamas when he went to the hotel on these three

nights? Of course it doesn't make sense. Because it didn't happen that way.

After the prosecution's rebuttal there were no more presentations. On Wednesday morning of November 23, 2005, the jury was given instructions, and the charges were explained to them. These instructions took most of the day and then the jury went in for deliberations. In between the jury asked for a portion of the testimony to be reread to them. Then very soon after that I was taken back to court at around 5.30 in the evening. The jury had reached a verdict: They had unanimously found me guilty on all five counts. It was over.

PART III

Growing in the Dark

13

I was twenty-five years old when I received the verdict. By this age I wanted to have my own place, however small it may be, be married, be in the category of a millionaire, be immersed in my career as a real estate developer making projects all over Karachi, changing the entire landscape of the megacity and hobnobbing between Karachi and New York, the two cities I had grown up in.

But my reality had changed so drastically since my arrest thirty months earlier that winning and going home seemed too distant a dream to believe. At the same time, losing and living like this for the rest of my life seemed too horrible to imagine, so I hadn't thought much beyond the trial itself. But as I heard the verdict, I was in a shock visible enough for the *New York Times* to notice in the next day's article.* I recall them describing me as numb, as I was led out of court after the verdict, and they were probably right.

Was it just my imagination or was the sentiment on the prosecution side as somber as it was on the defense side? There was no sense of victory. No one was smiling. They were all just gathering their things with somber expressions on their faces, almost giving me the space and time to process what had just happened. It was as if they had convinced themselves that they were just doing what was expected of them, but they also understood that it was going to be hard for me to come to terms with how the last hopes of saving my life were now completely crushed.

As I was leaving the courtroom my eyes fell on my relatives. One of my cousins told me not to worry, that we will appeal. But I was too numb to do anything except leave quietly. It was over.

I had seemed so sure the trial would go my way that the other prisoners were surprised to know that I had lost. I was in a fog for over a week. Given

that most terrorism sentences had been at or near the maximum, I now expected to get the full seventy-five years.

In that fog, I was returning my meals uneaten. A brother in my neighboring cell saw what was going on, made some food and somehow convinced the guard to slip it under my door. I didn't feel like eating anything, but he kept telling me through the wall that he had made it with his own hands, so I had to eat it. It looked like slices of bread dipped in something resembling pudding made from mashed ripe bananas, crushed vanilla cookies and a little milk. It must have been thousands of calories, and it was delicious, which obviously helped.

I couldn't have the regular meals, but he made the banana pudding for about a week or so until one day he told me that I needed to get out of it. Given that I had just lost a trial and was going to be in prison, quite likely for the rest of my life, I wanted to tell him that I had a right to mourn for a little longer than a week. But he had already been forced to plead guilty to charges that carried a life sentence in a case that made no sense to me, so I couldn't say much to him. I was broken and tried to pull myself out of it by first getting back into my recitation, which had suffered as I was out of my cell all day during the trial.

The guards' attitude didn't change—they remained cold and indifferent. But when the unit manager came back from vacation, he parked himself right in front of my door and couldn't get the sadistic smile off his face. He kept asking me for details about how I lost my trial. When I naively answered some of his questions, he interrupted me and said that if he really wanted to know, he could have simply asked my prosecutor. He was just having a little fun.

The conditions of confinement were a daily struggle to endure. With nothing to look forward to, I decided about a month after the trial to go on a full hunger strike against the living conditions including our late letters, our infrequent calls and lack of access to any fresh air (like the roof, as was the case with other prisoners). I give credit to the unit manager that he simply ignored it while the staff just thought it was funny. They always think it is funny in the beginning. In fact, recognition of a hunger strike in the US

prison system is when an inmate has refused nine consecutive meals. So, once I refused my ninth meal, they moved me to another cell and in the process went through every piece of my property. The lieutenant was surprised to see that I wasn't hiding any food and realized how serious I was.

By some invented policy they decided to cut off my water supply, including my sink, toilet and shower stall. I later asked them why and they explained that they needed to measure all the water I was drinking, which they were handing me in one container, and all the urine I was passing, in another container, to monitor my health. They didn't trust me with a working sink, toilet and shower because they didn't trust me to measure it myself. I asked the lieutenant if the whole purpose was about measuring my intake and outflow of liquids, then did anyone ever write this information down? He asked the staff, and no one had bothered. I already knew they hadn't kept track of anything. So he turned back to me and asked me if I remembered what my intake and outflow was. I had been writing it down myself, but I found it pathetic that the very people who cut off my water supply because they couldn't trust me to be honest with them were depending on my numbers for the same information.

Around a week after I started the strike, they told me to pack up all my stuff. I was moving back to the 9 South SHU. I was confused by this because I was on the SAMs and had just been convicted on all five charges. So, while I was still pending trial and presumed innocent, I was under harsher conditions. But now that I was a convicted terrorist guilty of everything I was accused of, they decided to make things easier for me?

It had nothing to do with my hunger strike. As my SAMs were renewed, they lightened some of my restrictions and took out the part that banned me from speaking to other prisoners. As such, I was moved back to a part of the prison where communication with other prisoners was possible, even though it was still solitary confinement in the sense that I was in a cell 23–24 hours in a day. More than ever, it was clear that the SAMs were always meant as a pressure tactic, and that now they weren't as important given that they got the conviction they wanted.

Two years in 10 South had really hardened me. Something inside me had also changed since the day I became a convicted felon. Whether I liked it or not, the world I once used to identify with was part of a past I had to forget, and I had to get used to the world that would be my future. I became very aggressive and confrontational with the guards. I expected to be sent to a United States Penitentiary, which was the maximum security level of the prison system. At least the feeling of limbo was gone in which I was anxiously wavering between hope and despair, with hope being the more difficult feeling. Now I knew.

I was so deep in my own despair that it took me some time to start worrying about the toll my conviction would take on my family. But I was about to receive another piece of difficult news. In early January I found out that my grandmother, my mother's main source of strength during my father's and my absence, had passed away. She was the only grandparent I had a chance to meet. I had been the annoying one who used to get on her nerves with my dumb jokes.

A few years before my father's and my arrests, she was bedridden because of a broken femur. But after our disappearance she started forcing herself to try and walk a little. When my mother saw her struggling with the walker outside her room, she asked her what she was up to. My grandmother answered that she was preparing for when we would return. She planned to go out to dinner with us to celebrate.

I had once hoped she would meet her great grandkids. But whatever sense of loss or sadness I was navigating was nothing compared to what my mother must have been going through: She had lost her son and mother within a few weeks.

I hadn't spoken to my mother in a few months, and it was clear we both needed it. I requested a compassionate call. I had heard there was some natural disaster in Florida and my next-door neighbor had been worried about his elderly parents who lived in that area— the staff made sure to arrange and find out if they were alive and safe. But when I mentioned the death of my grandmother and asked for a call on compassionate grounds, I was flatly refused.

* * *

When I was brought back to 9 South, they had reserved one range for those guys (like myself) who couldn't have a cellmate. Most of them were part of the witness protection program where they had some serious cooperation against other defendants and were going to have a new name with a new life upon release.

One of my new neighbors was someone known by the name Sassy—he introduced himself by sending me pictures of a decomposed body in a shallow grave. Prisoners in solitary confinement try to send each other small items through a fishing line, tying items to a string (pulled from a bedsheet or blanket) and propelling it under the door so that the other prisoner can pull it into his cell from under his door. They were pictures of a skeleton in tattered clothing and construction boots. I told him the boots looked like Timberland and he confirmed that they were. When I asked how he could be so sure, he casually told me that he had buried the guy himself. He was planning on going to trial, but he knew that the government had more than enough evidence against him on multiple murders as a hitman for the BLOODS (Brotherly Love Overcomes Oppression and Destruction), a notorious LA gang with a strong presence on the east coast. He was a bit of a local celebrity in Brooklyn. He didn't seem to think much about the value of a human life. He would freely share stories about all his killings, including the time when he set a homeless man on fire to prove a small point to a bunch of young women he barely knew. But at the same time, he never forgot to say please or thank you when required.

Another notable arrival was a short, stocky guy around sixty years old. I found out later he was Sammy the Bull, the hitman for one of the most famous mafia figures in recent times, John Gotti, head of the Gambino family.

The feds had put John Gotti on trial and lost, which earned him the nickname the Teflon Don because he seemed bulletproof after winning in court. But the feds are sore losers and kept surveilling Gotti until they recorded him saying that Sammy knew too much and something had to be

done about him. They took this recording to Sammy and told him that his life was in danger unless he made a deal with the Department of Justice. Sammy agreed and helped bring down the Teflon Don. In return he only got a five-year sentence and was taken into the witness protection program after confessing to nineteen murders.

Then Sammy got greedy and started selling ecstasy pills. His whole family was indicted. While he was serving time for this in a supermax prison in Florence, Colorado, he got a superseding indictment on a new case. The government had arrested a corrupt cop who wanted to cooperate with the government and mentioned that he had committed a murder with Sammy the Bull. This wasn't one of the nineteen that Sammy had already confessed to, which gave the government the chance to indict Sammy on a new murder charge and bring him back to MCC.

One day I tauntingly called him an old man and he asked me how many push-ups I could do. A challenge. I was able to do forty, but Sammy did an impressive eighty. From then on, he would introduce me to his mafia friends, "Hey Mike, this is my friend Paracha."

One evening Sammy finished a phone call with his wife while I was within earshot and was talking to himself, saying he didn't believe what just happened. I asked him what was going on and he told me this story about the corrupt cop who was supposed to be the main witness against him in the trial on the new murder charge. He just found out from his wife that the cop had died of a heart attack or something. I asked him what was going to happen with his case now. He explained that the whole case was based on the cop's testimony and without him there was no case. He expected that the government would have no choice but to drop the charges and send him back to Florence to finish the few remaining years of his current sentence.

I had already heard about this prison in Florence, Colorado, from other prisoners. In the prison system there are security levels ranging from a camp, which is the lowest with a small fence, to a low, which is a small step above, to a medium, which might have a couple of fences, to a penitentiary, which is a maximum security prison. But Florence had a portion that was a step above all those levels, known as the Administrative Maximum or

ADX: a supermax that was the new Alcatraz and rumored to be underground. Built entirely out of poured concrete, it was the only facility of its kind in the entire federal system and prisoners in that system were afraid of being sent there. Sammy was here on a writ from ADX and was telling me about it. After being in MCC for nearly three years it sounded like a better-run institution, but then MCC was one of the worst-run places in the BOP and I had only seen the worst parts of MCC so far.

* * *

In the early months of my arrest, I would hear some of the other Muslims in 9 South make the Muslim prayer call. Later some of them asked me to make the prayer call when they could not. The prayer call can be heard in the most beautiful voices from mosques all over the world and even on YouTube. In comparison, when I finished making it for the first time in the winter of 2003, my cellmate commented that it sounded like someone was strangling a cat. But it had been two years since then, two years that I spent reciting the Quran a few hours each day, and with practice hopefully my voice was now less painful to others.

By the time I came back to 9 South, I started making the prayer call. Some of the guards were still in their War on Terror mentality and would threaten me from time to time. Then one day the Officer in Charge violated policy; he unlocked my door and walked into my cell. He should not have been around me unless I was in handcuffs. The guy was 6 foot 7 inches and around 275 pounds, and I was getting a very aggressive vibe from him. I was about to prepare myself for a beating when he started asking me about the “singing” I was always doing. When I thought he was getting ready to throw a punch, he said, “It’s the most beautiful thing I’ve ever heard. Can I buy it somewhere?” I found out that even though I had plenty of haters, there were also some COs and inmates who used to look forward to something melodious a few times a day in this difficult environment.

The conditions may have improved slightly once they got the conviction, but the SAMs still had this provision that all my communication

was monitored by the FBI. Since they had better things to do, there was a constant pressure to prevent the visits and calls so that they didn't have to waste their time with me. One day I was taken to the 10 South area for my visit and I saw a familiar face at his door—I said hello (specifically I said *salaam*, peace). The CO assigned there came over and asked me what I was doing speaking to another inmate. I explained to her that I was no longer prohibited from speaking to other inmates as per my new SAMs and so technically she couldn't stop me from speaking to anyone else.

Imagine my confusion when the next day I got two shots. One for violating my SAMs and the other one for disobeying a direct order not to talk. The unit manager immediately sanctioned me to four-and-a-half months' loss of phones and visits. I complained that none of the restrictions made any sense and won the appeal. The unit manager came back and removed one shot and doubled the punishment for the other one so that my sanction remained the same. When I was transferred to a regular prison the staff were confused about this shot, "But your SAMs says you can talk to other people?" But they couldn't undo a sanction given by another institution. MCC lived in a reality of its own.

* Julia Preston, “Man Helped Qaeda Figure, Jury Here Finds,” *New York Times*, November 24, 2005.

14

I was first scheduled for sentencing in early March 2006. There were a few postponements, but since I knew I wasn't going home anytime soon the postponements didn't matter anymore. Time had a new meaning now. Whether a defendant on a terrorism case pled guilty or went to trial, judges usually handed out sentences at or near the maximum. I had to assume the same in my case.

To support my assumption, when I had my pre-sentencing interview, the interviewing probation officer asked me about my family background (stable), education (MBA) and other questions. He was very polite and courteous, but in his report to the court he recommended the maximum of seventy-five years. It was all such a farce. No matter what type of answer they got they always found a way to use it against the person.

It was unbearable to come to terms with the various consequences of losing the trial. Losing itself was difficult. Coming to terms with my long future in prison was another difficulty. But there was also that feeling I had from the beginning that whatever happened would unhappen. Was I as deluded as everyone thought I was? There was no coming back from this situation.

After many delays I was finally scheduled to be sentenced on July 21, 2006. Ed had already discussed with me my right to speak before my sentencing, but I had already made myself clear with my plea of not guilty and testimony at trial. I had nothing more to say. The guideline range was 360 months to life and, as I mentioned earlier, the probation officer had recommended 900 months.

After ruling against me so regularly, the exchange between Ed and the judge and the end result at the sentencing hearing came as somewhat of a surprise to us all:

Judge: [A]nything along the lines recommended by the probation department, I don't think makes sense, and I think is greater than necessary … it is the judgment of this court … a total period of incarceration of 360 months … I hereby order Mr. Paracha to pay to the United States a special assessment of $500 … I'm going to make two recommendations to the Bureau of Prisons. One is to credit time Mr. Paracha has been held on material witness warrant to his period of incarceration and second, to place him in the northeast region to facilitate family visits … You are a very intelligent, articulated, educated young man … I think it's a loss to the American community, it's a loss to the Pakistani community that you're going to be incarcerated for such a long time because you had such potential. I heard you from the stand. I heard you in court … Its a—this is—its more than unfortunate.

My relatives filled up the rows in the courtroom and the judge even acknowledged that they always used to show up at my court hearings. But when they heard the sentence there was a collective murmur among them behind me as they tried to make sense of what had just happened. I guess they didn't expect this. As for me, I obviously didn't enjoy being sentenced to prison until I was fifty years old, but I had prepared myself for the maximum. Soon I would get paperwork with my release date, May 17, 2029. Sitting in July of 2006 it seemed like a lifetime away.

As per Ed's request, the judge recommended that I be kept on the east coast so that I could be close to my relatives, so that they could visit me. Ed expected that I would be shipped off to ADX like every other Al-Qaeda case. But the prosecutor had countered that the designation decision was not based on a whim. There was a proper procedure based on a set of criteria after which the BOP decided on where to designate each prisoner.

I also asked Ed to make a request to the court to help me somehow serve my sentence in Pakistan so that my mother could visit me. Again, the prosecutor objected that this was a matter for the State Department, not the Department of Justice. They weren't going to give up any of their trophies no matter how insignificant. When I went back to my cell, I was a little

down because—well I had just been sentenced to thirty years in prison. The next day Sassy tried to say some comforting things to cheer me up but, unlike after the trial, I had mostly recovered overnight. This was my new reality.

After a couple of months, I was getting restless and a good way to find out if you're about to leave any time soon is to find out if you've been designated to a prison yet. Luckily a friendly guard broke a small rule and told me where I was designated to. Whatever the BOP's criteria was, it hadn't worked out in my favor. I was going to ADX. So much for the proper procedure. Nothing in my case showed any inclination or proclivity to violence, but behind the façade of their Latin legal terms the whole process was nothing but fluff at every stage, a constant display of emotions over reason and facts.

Ramadan was about to start in late September and go on for around thirty days, which meant that I would be fasting from dawn until sunset every day. Ordinarily Muslims can opt not to fast while they are traveling and make up for it later, but I was already cautious about my food and water intake if I was going to be far from a toilet, and I used to cut down on it even on court days. So fasting while traveling would be easier than the discomfort of having to use a toilet, especially since I had never traveled as a prisoner before and didn't know what to expect.

One Ramadan morning in early October they told me to pack up my belongings for R&D (Receiving & Discharge) where they receive and dispatch prisoners. I quickly got ready, and my stuff was processed. I was put in a Marshall's vehicle after I was handcuffed, shackled and chained up around my waist with a belly chain. There were vehicles in front of and behind us and we drove to what was probably Teterboro airport in New Jersey, because that is one of the closest places where they have private jets. Finally, a twisted perk of being a high-security prisoner.

I saw several Marshalls around the vehicle with M-16s and shotguns, ready to shoot and trying to look important. After a few minutes I was put on one of the private jets with a couple of Marshalls and we headed towards the Midwest. After being stuck in small rooms for the last few years, seeing

the terrain from the sky while flying among the clouds was a surreal experience.

In a few hours we landed at a small airport with some other Marshalls surrounding the plane with M-16s. Then I was quickly put into the back of a van where I was chained to the floor of the vehicle and driven through some freeways and streets until we arrived at the Florence federal facility.

After countless gates and doors, and driving below ground level I was put in a wheelchair because it was much faster to move me around on wheels with my restraints. This was a welcome relief because shackles cut through bone in the back of the leg and made me bleed whenever I used to go to court.

After doing my paperwork, I was already in my cell by the afternoon. Overall, it was one of the best flight experiences I've ever had, except for the part about the restraints of course. When I saw the toilet-sink combo, the concrete bed and other things that I was used to, I felt a sense of comfort in the familiar layout of a cell that I had gotten used to over the last few years.

The lieutenant came to give me a welcome speech about ADX that was meant to intimidate me, but I tried to hold back my smile because he had no idea how well they had trained me at 10 South.

I was in H unit, which was the SAMs unit. Just as ADX was the scariest place to prisoners all over the BOP, H unit was the scariest unit to prisoners in ADX. Because it was meant to keep people for decades or the rest of their lives, it was better run than MCC in every way, but the bar could not have been any lower.

The downside was that the guards were always complaining about how we were getting three meals a day and didn't deserve any of the things they were giving us, and that we'd probably never had it so good in our whole lives. I used to tell them that I was running my own business in midtown Manhattan when I was arrested and tried to mention the life I once had. But their typical comeback was, "There is a reason why you're here."

A popular hardline belief is that once someone is convicted, he deserves nothing good. Other prisoners might be mass murderers, but they only

committed a crime, while we were the enemies of their way of life even if we never hurt anyone. Most people fail to understand that a prison sentence is not the beginning of the punishment but the punishment itself. Unfortunately, many interpreted it as the basis for retaliatory behavior, denying us our rights and selectively using policy as a weapon.

* * *

By this time I had memorized nearly half of the Quran, and when I got my personal property I got right back to work a few hours a day, seven days a week: some of it to memorize new portions, some to refresh the old stuff. This multiyear project kept me busy with a sense of purpose and direction.

Solitary confinement can really affect the brain. Watching entertainment TV is not much of a mental exercise, and people in solitary confinement don’t experience the mental activity involved in making the decisions needed to cross a street, catch a bus, get to work on time, save money, pay the bills, etc. In solitary the brain experiences very little activity, and this starts damaging the memory, sharpness, alertness, presence of mind and other mental functions. Memorizing preserved my mind and kept it from decaying, and I realized this much later when I met other people who spent long periods in solitary confinement but used their time differently. They would go through mental blackouts and their minds would tune out in the middle of a conversation. A minute later they would continue as if they were on pause. Prisoners can also develop a strong sense of paranoia that anything out of the ordinary is part of a greater conspiracy. If their hair was cut a millimeter shorter than they asked it was a conspiracy among the guards. From the very beginning of my incarceration, I had been trying to find opportunities to make productive use of my time, but the administration was always getting in the way. My memorization of the Quran was just a wonderful exception that did more for my sanity than I could have possibly imagined in the early years.

I started watching TV, but only after I did my homework, and I started avoiding the entertainment channels one by one, preferring more

informative stuff. In the weeks before my arrest the job market was terrible, but before I left MCC I could overhear the guards advise each other on getting a new home and buying holiday gifts as if times were good again. When I came to ADX in 2006 the housing market was beginning to slow down again. Those who created the problem were telling all the lies they could to control the panic. First, “There won’t be any problems in the housing market.” Then, “The problems in the housing market won’t affect the rest of the economy.” Then, “The problems in the economy will only be temporary,” and on and on. Anyone who kept track of what they were saying knew that they were dishonest and incompetent.

As the problems spread to the rest of the economy, mainstream media started giving it more serious coverage. The other Muslims were confused. They saw panic and mass hysteria that one normally expected from a war. It was an interesting sight to see my new friends with classical works on economics by Keynes, Hayek, Henry Hazlitt, Ludwig von Mises and the like.

Because of my education, I became the in-house financial expert who answered their questions. Some of them ordered a book, and if they couldn’t make sense of it, they found some way to smuggle it to me. My job was to read it and explain it in plain English. I became interested in the daily news, analysis, seminars, discussions and book reviews on C-SPAN.

My two-year prescription for the anti-anxiety medication Paxil began a couple of months before my trial. After two years they asked me if I wanted to continue, but I declined the offer. If I could breathe now, I wanted to get off it. After some headaches I started to get my sharpness back. I was coming out of a haze like a curtain was being lifted. I started getting parts of my personality back that the medicine was suppressing, including my sense of humor.

Had I stayed in 9 South or just been allowed to go to the roof from 10 South I would have managed my claustrophobia without any medication. But one thing led to another, and I wonder how much it affected my ability to participate in my own trial.

At MCC, they had removed one of my wisdom teeth because of a stress-related clicking jaw problem. When I went to a dentist in ADX, I mentioned to the doctor that my TMJ (temporomandibular joint disorder) was still flaring up. He was a middle-aged guy who patiently listened to my problem. He agreed that it was stress related, but he also suggested a treatment. He told me to go back to my cell and think about what I did and ask God to forgive me for what brought me to prison, and he was confident that my problem would get better.

I was still getting headaches every year or so and every time I got my eyes checked, I would find out that I needed a stronger prescription. The conversation with the ophthalmologist was so normal that I almost forgot I was a terrorist. He explained that the eyesight starts to deteriorate since people in solitary never get to see great distances, because their whole world is within the four walls of their cell. It was quite common.

The counselor at ADX was confused how I got a sanction in MCC over something I was not prohibited from doing, but he could not undo a restriction imposed by another institution. However, the four-and-a-half-month loss of phone calls and visits wouldn't have mattered anyway. They took a year to approve my phone numbers and visiting list to allow my aunt and uncle to visit me.

My aunt appeared to be as distressed by the sight of ADX as she was when she first saw 10 South. I tried to make light of it, as I had first done in MCC, trying to make some small jokes and downplay the hardships of the place and highlight the positive aspects I could think of. This place was more particular about following procedures than MCC and it had its advantages and disadvantages. They were better about timely phone calls and letters.

On the flipside, since the SAMs only allowed contact with immediate family members, including parents, spouse, siblings and kids, ADX started rejecting letters from my cousins and other relatives. Except for the court order about my aunt and uncle, contact with my relatives was completely cut off from now onwards.

Psychologists were always coming around to check up on how crazy we had become. One of our neighbors was asked a hypothetical question to check his mental state, “What would you do if you were in a jungle, and you ran into a big tiger?” He replied that he would shoot it with his big gun. The psychologist asked him where he got his big gun. “The same place you got your big tiger.”

The extreme isolation had reduced not just our social interaction to almost nothing but also the variety of colors, smells, natural sounds and normal distances, and the long-term effect was extremely debilitating. Isolation in general can take a number of unbearable years before anyone learns to cope with it and, as the officer in 10 South had predicted, I was starting to cope as my five-year mark drew closer.

15

H unit housed Muslims from some of the biggest terrorism-related cases, but all my assumptions were being shattered. Assumptions that my typical middle-class, college-educated, nine-to-five mindset, fiction novel and Hollywood influenced world, had created. I saw ordinary Muslims targeted on flimsy evidence again and again so that people in power could convince a scared public that they were doing something to protect them. Many of these cases were weaker than mine, and I saw ordinary human beings put in some of the most extraordinary circumstances, and yet I found them to be some of the most humble and resilient people I had ever met.

I saw a lecture by a lawyer named David Cole about his book, co-authored with Jules Lobel, *Less Safe, Less Free*. The authors mentioned that since 9/11 the US Department of Justice claimed that they had convicted hundreds of people on terrorism charges. But upon closer inspection they were not actual acts of terrorism but mostly material support to a terrorist organization. Technically, if anyone walked into a restaurant and ordered a cheeseburger, if the restaurant staff filled out the order and served him his food, the staff and owner could be charged for material support if the person belonged to what the US government designated as a foreign terrorist organization.

So far my interactions had only given me anecdotal evidence, but this book showed that the problem was quite pervasive. A few decades ago, a decent percentage of defense lawyers could still become judges, but this rarely happens anymore. Judges today can only relate to the prosecutorial side of the judicial process, because that is the only side they’ve ever worked on. This is one of the reasons that the federal convictions rate is around 92 to 96 percent, a statistic that is itself a damning indictment of the system.

One of my neighbors during this time was Ahmed Abu Ali, a young Palestinian who grew up in Virginia playing football for his school and was well liked by his teachers. After graduation, he was about to join an engineering school but came across a fully funded scholarship program at Al-Madinah International University in Saudi Arabia and decided to sign up. He spent his days at the university and his evenings attending study circles in the mosques in town.

Around the same time, there was a violent incident in the country and several people were rounded up in the investigation. During an interrogation someone implicated Ahmed while being tortured. Subsequently, they grabbed Ahmed and tortured him for four months and made him sign a confession that he was planning to assassinate US President George W. Bush. There was not much beyond the signed confession to support the allegation. He had no plans to ever return to the United States and wanted to stay in Saudi Arabia for the foreseeable future.

While he was being tortured, he found out that FBI agents were supervising the investigation from behind a two-way mirror in the room. It was only after the confession was signed that everyone at the US embassy recognized that an American citizen was being tortured in a foreign country and needed to be returned to American soil. By then he wanted to stay in the Saudi jail but was quickly brought back and indicted in Virginia, put on trial, convicted and given a thirty-year sentence.

The judge admitted the confession made on foreign soil but ignored the fact that it was the result of torture, because the torture was done in a foreign country and therefore not subject to American law. I asked him why he didn’t want to come back to America, and he explained that the Saudis might electrocute someone’s privates and put hooks in their back to extract information, but they knew a false confession from a real one. They would have released him within a few years because there was no reason to keep him for long. After the torture he was better off in the Saudi system. I was skeptical, so he told me about another prisoner who was arrested based on strong evidence before he tried to assassinate the Pakistani President Pervez Musharraf. He was released after five years.

In between, I was working as an orderly in the unit and would see him at the door when I was cleaning the hallway. I once asked him if he still had the marks from when he was tortured a few years ago. He didn't know and turned around, pulling his shirt up so I could see for myself. I saw scars from the cuts all over his back.

While he was my next-door neighbor he went back to court for resentencing. His lawyer was asking for a lower sentence while the government was seeking a higher one. Among the legal community, they were concerned about the added politics involved in the appeals process, and rightfully so. When the appellate court sent the case back to the judge asking for a higher sentence, he increased it from thirty years to a life sentence and was promoted to a position on the appellate bench.

Muslims were not the only prisoners in my unit. There were others such as Robert Hanssen, a senior FBI agent who was given fifteen consecutive life sentences for spying for the Soviet and Russian intelligence agencies, what the Department of Justice sensationally described as "possibly the worst intelligence disaster in US history. "

He was a very smart man who shared entertaining stories from his past. He mentioned a trip to Japan where he visited the office of an American business and realized that it was an undercover CIA operation. What gave it away were their outdated computers. Any legitimate business would obviously choose the latest equipment, but the CIA was so bureaucratized back then that their stuff was a few years old by the time it went through all the budgetary approvals and signatures. When the ADX staff gave out paper puzzles with little prizes such as candy bars for the winners, we would ask Hanssen for his answers because he was so smart. But he wasn't always honest with us, so we had to recheck his answers.

There was also one of the highest-ranking members of the Columbian rebel force FARC, who called himself Simon Trinidad. He was another intelligent man, who told me he had a degree in economics from Harvard University. We had some conversations about how the economies of poor developing countries were very different from rich ones, a topic that was close to both our hearts. I still remember when some guards tried to be

disrespectful towards him and he shut them up with a simple, “Are you stupid?”

Another neighbor was OG Mack, the founder of the BLOODs, one of the largest gangs in America, who was sentenced to fifty years. King Blood, the founder of the New York chapter of the Latin Kings, was also there. But even though these were two of the largest gangs in America, there were a few members of a much smaller but highly feared gang of the prison system, the Aryan Brotherhood (AB).

Official numbers placed them as high as the BLOODs and Crips, but the core membership of the neo-Nazi white supremacist gang was very small. One of my first conversations with an AB was at MCC when he was in the witness protection program. For his cooperation he was to be released when he had only finished half of his long sentence and could keep all the money he saved while conducting gang activities in prison: around $240,000.

The ones at ADX were Thomas Silverstein, the former head of the AB who killed a guard by stabbing him forty times; Barry Mills, the present head of the AB who nearly decapitated another inmate in 1979 over a gambling debt; and T. D. Bingham, who was also part of the leadership. I never had a chance to speak to Silverstein and spoke to Barry only a few times. But T. D. would enjoy talking about the books he was reading and what was in the news. He was a fan of Rachel Carson’s 1962 work on the harmful effects of pesticides, *Silent Spring*. During one chat I asked him about the purpose of the AB and he told me it was just a gang. “My mom was Jewish.” In the 1970s he used to make a lot of money working on oil rigs, but when they started closing down in the 1980s he turned to robbing banks and the rest is history. Who knew how things would be without a door between us, but the convict code was always sacred to them. They would never work with a staff member against a prisoner.

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As my cousin promised when I was leaving court after the verdict, he had hired a lawyer named Joshua Dratel for my appeal. Around the time my friend Ahmed Abu Ali's case was reopened I got a call from Joshua.

He had news that, just like before my trial, the Department of Defense had declassified some more statements from the people at Guantanamo Bay who were connected to my case. I asked him why it mattered, since we had already used some statements during the trial and they made no impression on the judge or jury. He explained that while the last batch was around three pages, this time he had around 300 pages in greater detail.

I asked him to file it as soon as possible but he wanted to wait. He first wanted to file my regular appeal without this and then go back to my trial judge with the new evidence. Regular appeals have almost no chance of success in normal cases, and a terrorism case has an even smaller chance of success, but he insisted on exhausting all options.

Technically it is a Rule 33 motion for a new trial based on exculpatory evidence, which can be filed with the same judge within three years of the verdict if there is newly discovered evidence in the case. My verdict was on November 23, 2005, and my lawyer filed the motion on November 21, 2008. He waited till the very end hoping more stuff would come out. I asked him how long he expected the judge would take to decide. He estimated nine months at most.

Not long after that I had another legal call. Joshua told me he had some bad news and suggested I should sit down. We lost the appeal—the regular one at the appellate court. I told him that I never had any expectations with the regular one anyway. If I had any chance, it was with the Rule 33 motion, and I asked him to call me when that decision came out.

I have faint memories of the mixed feelings I went through as I found out about the exculpatory evidence. I remember a sense of vindication that my faith was not misplaced. At the same time, I had come to terms with my situation. Whatever life I had built in the first twenty-three years was lost, and whatever problems my family had gone through in the beginning, they had somehow learned to manage without me and my father.

My prayers to go home were getting weaker and less frequent. I developed a sense of anxiety and fear of the outside world and how I would readjust to it. During my prayers, I started wondering if I was better off staying in prison. It was in this situation that I heard about the new evidence, and I felt that I still wanted to win my case, but I was no longer anxious to go home. I was now becoming anxious about going home. I was becoming institutionalized.

T. D. told me that he was institutionalized. He explained that you might be driving on the street and someone cuts you off. Because of your prison mentality you feel they have disrespected you. You chase them down, pull them out of the car and beat them up. That's not how most people think in the outside world, but it is common in prison culture.

My peace was being replaced by the apprehensive flickers of hope disturbing my life once again, just like the pretrial years. I didn't want to get anyone else's hopes up so I didn't mention it to my family.

The BOP keeps a record of every prisoner's education level, but ADX had no record of mine. So the education department asked me if I wanted to take my GED test so that I could have a school degree. I waved them off telling them I had an MBA from one of the most prestigious schools in my country. Then I told my neighbor about the gall of these ignorant people coming to an educated fellow like me asking if I wanted to take my GED exam. He encouraged me to take it because it only took a couple of hours and if I passed, I would get $25 deposited into my commissary account. And that's exactly what I did. I passed with good grades, and they recommended I pursue higher education.

I started memorizing the Quran around the summer of 2003, just months after my arrest, but I became serious about it that December. Other than the

trial, the tooth extraction and waiting for my Quran once I arrived at ADX, I never took a day off, dedicating at least a few hours to it every day. After fifty months I had finished the last of my memorization ahead of schedule. It was a long journey in which I put more effort than I had put into any single project in my entire life. When I started out, I didn't have a teacher or guide, nor any idea how I was going to do it. But here I was, one afternoon, realizing that I had finally done it.

Eighty percent of the Muslims in H unit had memorized the entire Quran and the rest had memorized large parts of it. When Ahmed was tortured, he was memorizing the Quran in the evenings after they put him back in his cell. He memorized two-thirds of it in just eight months. I knew someone else in 10 South with a similar story. But to me, I had done the impossible because I was memorizing something in a foreign language. I still had to strengthen what I had memorized, and so I brought my rotation down from every sixty days to thirty days, to fifteen days, then ten days, then a week, until I was reciting the Quran from memory every four days to make it stronger in my mind. The blind scholar used to finish his entire recitation every three days.

* * *

The Muslims at ADX had a joke for newcomers to give them strength: Don't worry, it'll only get worse. This was starting to come true for me. In June of 2009 I got a notice that the house numbers we had had since my childhood "revealed derogatory information," based on investigative research, and were removed from my contact list. If I wanted to speak to my family, they needed to get new numbers. Citing national security, they didn't give any further explanation. I would only be allowed to speak to the same people in the same house if they got a different phone line.

Things at ADX were already getting worse. The guards pushed one Muslim down the stairs while they were escorting him in restraints and he had dislocated his shoulder. They would deny us showers and recreation. Some of us were being denied our mail without any explanation. Ahmed

was denied a book authored by the presidential candidate Barack Obama. They became more and more confrontational. Some Muslims started talking about going on a hunger strike. Everyone there had a long sentence, and the worsening conditions were driving us to desperation in what a former warden already described was a clean version of hell.

I had been off my anxiety medication for a few years, but the increasing pressure was starting to affect me again. As soon as I was given the phone restriction notice I started writing my mother a small letter every week hoping that it would make things easier, but I was starting to feel stressed and my breathing and appetite issues were coming back.

Several Muslims went on hunger strike. The medical staff started counting the missed meals and monitoring everyone's health. COs and medical staff were assigned to this work every day and it was straining their resources. The same resources they didn't have to give us our showers and other rights. They started force-feeding the brothers as their health deteriorated.

Since this problem was on everyone's mind, they also noticed that I was losing weight day by day. They added me to the list and decided they needed to force-feed me also. I could hear the medical staff and supervising lieutenant gather up as the COs got dressed in helmets and heavy padding. They needed a cameraman to put everything on video, in case something went wrong, and questions were raised about who did what.

The range door slid open with the movement of metal against metal. Staff members were crowded outside my cell as far as I could see from the little window in my door. I was asked if I was willing to drink the supplement on my own. I couldn't. The next step was to take me out of my cell to force-feed me. I was asked if I was willing to let them put restraints on me. If I said no their job was to rush in and hold me down so that they could grab me by force and take me away horizontally after placing restraints on me. That option leaves a lot of room for physical abuse.

After I agreed, they handcuffed and shackled me and a dozen people escorted me to a makeshift force-feeding room with a plastic seat in the middle. I was placed in the seat and my hands were strapped to the armrests

as I was uncuffed. The leg irons were replaced with straps on the base and a seat belt was fastened around my waist. Medical staff then measured exactly how long the IV needs to be to reach my stomach. They brought a small cup of water with a straw and asked me to hold some of it in my mouth. They lubricated the IV with a gel and started pushing it up my nostril while I was supposed to slowly swallow the water to help slide it down my throat. Then they placed a stethoscope on my stomach and inserted some air through the IV to make sure it was in my stomach and not somewhere else, like my ankle.

I was warned by the brothers that the tube insertion was extremely uncomfortable, but I found out that I have a deviated septum which made it painful enough to bring tears to my eyes. The part of the tube sticking out was taped to my nostril to avoid the feeling of it sliding up and down my insides. The staff started pouring some Ensure boxes into an open container attached to the IV tube.

Depending on how fast they administer it, it could take twenty to forty-five minutes. After the insertion, the removal is the second most painful part of the procedure. I had to hold my breath while it was sliding up my throat and nasal cavity and I started coughing as soon as it was out. After a quick check-up it was time to put me in a bare room for the next hour or so. Once they knew I had digested it I was put back in my cell.

Afterwards, I sounded like I had a party horn in my nostril every time I talked. After the first force-feeding they were doing it every weekday. When I started spitting blood, they told me the IV was causing tearing in my throat and I should hold my head down to keep my throat straight.

One of the worst days was when there was a specific physician’s assistant (PA) who showed up for the force-feeding. My stomach had already shrunk down, and they normally gave me two to three boxes a day. But he decided to pour five. I warned him that it would be too much for my small stomach, but he wouldn’t listen.

On the fourth box I was hyperventilating and couldn’t breathe. Since the staff were already used to the savagery of the force-feedings they didn’t care until I started to throw up. The PA was not deterred, and he poured

another box. I vomited again. He kept pouring boxes while I kept throwing up again and again. The rest of the staff grew quiet and from the looks on their faces I must have been in bad shape. I could feel my esophagus and stomach burning and the vanilla supplement started looking like mustard as my stomach acids were pouring out. Finally, the PA realized he had gone too far. We were going at it for over two hours with the IV tube taped to my nose while I was choking and throwing up again and again. Now I couldn't hold anything down anymore. They waited until I stopped vomiting then took me back.

I was force-fed for around five weeks until I ate the bare minimum so they would leave me alone. At the same time CBS's *60 Minutes* did a piece on our hunger strikes and force-feedings and the administration assigned a new warden who announced some big changes.

I was still not able to call my mother. My family wanted to do everything to speak to me so they got a new cellphone and I put in a request for it, but it was taking a long time.

One of my neighbors had a book on economics that he offered to give me. It was cold outside, but I had to deal with my stress and needed to get out. With plenty of warm clothing on, I was taken to one of the recreation cages. When the brother with the book was put in another cage, he told me he had the book. This was extremely risky because of all the surveillance and searches. He was a big guy, so it was easier for him, but when he took it out I was shocked to see that it was in four thick volumes. I tried to tuck them in around my waist and back hoping no one would notice. It was one thing to make sure the guards didn't notice while they were taking me back, but I almost had a heart attack to see the same PA standing in my way to check my weight and vital signs. I thought I was a dead man and started turning left and right with feigned anger as if I was protesting the check-up when I was really trying to conceal the book-shaped bulges around my waist from their eyes. I kept yelling at him to add to the distraction. I kept up this circus until I finally made it back to my cell with the books while the PA was asking me, "Are you protesting the new healthcare bill?"

By 2009 the US financial crisis spread from the subprime mortgage sector to the rest of the mortgage market, then to Wall Street and the entire economy. As a business student I found the daily coverage fascinating. Since I had finished my memorization, I was filling up most of my free time watching the news and discussions about books on topics such as economics, international politics and the international economy.

My aunt and uncle took turns visiting me every few months, and in December it was my uncle's turn. We hadn't been particularly close before, but since my incarceration our relationship had changed a lot. If I was finding it hard to start a conversation during his visits, he would carry the conversation and speak very supportively of me. He took a genuine interest in what I was doing and seemed to be very proud of my efforts to use my time productively. I had many thoughts to share about the economy based on the books and TV shows I had been following. He suggested that I collect all my thoughts and write a book. Without access to the internet, newspapers or any other research material, I didn't even know how it would be possible.

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Later that same week, in late December, the unit manager came to my door and told me to pack up my belongings. Since the hunger strikes tensions were high, I asked him if I was going to the hole, which is even more isolated. He said yes. I started to pack up for the hole when the unit manager knocked on my door again and told me I wasn't going to the hole. I was off the SAMs and was being moved out of H unit.

Ed used to tell me he had no idea why someone like me was on the SAMs in the first place, but after six years I thought it was going to be like this for the rest of my bid. I didn't expect it at all and wasn't happy because I was comfortable with brothers who had cases like mine. I once wanted to fight the SAMs, but now I was complaining about being taken off them, while the escorting guards were telling me how much better things would be where I was going. Nothing they said made it worth it.

It had been over a year since the Rule 33 motion was filed. Each weekend I wondered if I was going back on appeal the following Monday, and every Monday I wondered if I was leaving before the end of the week. I would try to cope with this anxiety by telling myself that I would remain in ADX for the next couple of decades. It was emotionally exhausting to be back in this state of limbo. I was among my community in H unit one morning and in a completely new world within an hour.

After my arrival at the new unit, one of my neighbors shared a book catalog for a company that did business with prisoners. When I was skimming it, I came across the economics section and it had some interesting titles that I was familiar with. That night I lay in bed thinking about the suggestion my uncle had made about writing a book and I was suddenly wide awake. What if I started my research by ordering these books?

Over the next few months, I immersed myself deeper and deeper into this project. I would get a newspaper that was passed from cell to cell. Sometimes I would get it late or someone spilled food on it. But I would try to go through every issue and note down whatever I thought was relevant. I was also watching the news and book discussions. As the books arrived, I was finishing around two in a week. This project took me further into isolation and it was my new long-term project after memorizing the Quran.

In the early years, I imagined that if I lost my case I would be buried as deep in the system as possible. I wanted to pretend that I was on another planet, hoping I would forget the world I once belonged to as if it was a figment of my imagination instead of a memory of the past. During those days I was reminded of that cynical hope like a feeling of déjà vu. I rarely came out of my cell and went weeks without speaking to anyone.

But as much as I wanted to run from my past, I didn't want to forget about my family, who were just as much victims as I was. It was over a year since I started writing my weekly letters home to make up for the phone ban. The new number was still pending approval. But since I was off the SAMs and not subject to the supervision of the FBI anymore, I was finally able to call them again.

My brother's voice was starting to sound deeper. He was hitting puberty. I told him I hoped he would be a foot taller than me. He told me he hoped the same. I also spoke to my baby sister, who was just a kid when I was arrested, and it was surreal to hear her sound so much older. In one conversation she ended things with a hesitant, "umm I miss you," and those words felt like a balm on a heart that had only become harder since my incarceration.

The years of going to the gym that once made me fit were lost to the hunger strikes and side effects from the anti-anxiety pills. Before leaving MCC I was a pudgy 172 pounds and wanted to get back into shape. One winter day I neglected to warm up before working out and I felt something in my neck and right side. It spread to my shoulder, arm and down the side of my spine. Within a day it was worse, and I had to tie my arm in a sling during my prayers. At that time, I didn't know that it was a combination of

a pinched nerve with shoulder tendinitis that no orthopedic specialist, physical therapist or chiropractor would be able to fix. I wouldn't be able to sit for more than a few minutes or sleep on my right side or strain my back any more without this chronic pain getting worse.

My visits were still happening, and during one I found out what had happened to the Cliftonia construction project we had purchased. After the disappearance of me and my father, my family faced a lot of ostracism and harassment when they were at their most defenseless. In that situation a man claiming to be a close friend of my father's offered to help my family out with the business. He seemed like a godsend, until one day my family discovered some irregularities in the business. The man was swindling my family before they kicked him out. Communication with my father was difficult and restricted so it took years to find out that my father barely knew the guy. He was certainly not a friend.

He once worked for the Pakistani intelligence but went rogue, making a video confession that he was working for the CIA and was on their payroll for a few years, before he got killed in one of his other risky adventures. That explained to me why he went to all this trouble to reach out to my family while everyone else was trying to stay away from them. His people swindled my family out of thirty-two apartments.

I had not celebrated my birthday since my arrest, but I was aware of every passing day, month and year, and my birthday was always a reminder of that loss. In 2010, when I turned thirty, I felt I had crossed an important milestone in my life as I had spent most of my twenties in prison. Our class had graduated from one of the best business programs in the country at a time when we felt the world was ours for the taking. I had set some ambitious goals for myself to reach a certain level of success before I turned twenty-five. The way things were going, I could have met those goals. But my twenties were gone now, and the only work experience I had accumulated was the orderly job scrubbing the shower stalls and sweeping and mopping the corridors of a supermax prison.

Starting out, I was naive to think that I would finish my book within a few months. My list of books was getting longer, and I wanted to read every

word of every book on my list. It took me around a year and a half to read around 85–90 books to get a deeper understanding of the economy and I was learning a lot. I had started with some scattered ideas, but I was starting to connect the dots now, see the forest for the trees and understand the relationship between different things. I was working harder than I ever did as a student.

I was studying in the type of environment without any distractions that a person hopes for in life. The trauma of isolation can hinder a person from being able to focus, but after the memorization I learned to use it to help me concentrate. I was putting in several hours a day without any weekends or holidays off. Still, there were a few distractions. Violent incidents between inmates and staff were happening all around me as unhappy neighbors became the reason for my introduction to tear gas. I wouldn't recommend it, especially in a closed environment like a jail cell. I wonder how many people wrote a book on economics while being tear gassed.

In one phone call around 2011, my family told me about the arrest of someone named Raymond Davis in Pakistan. Some officials at Guantanamo Bay told my father that they had offered to do a prisoner swap with the Pakistani government to exchange my father and me for Davis. The Pakistani government's response was that the cases against us were flimsy to begin with and they preferred to use this opportunity to negotiate the release of a Pakistani woman named Aafia Siddiqui who, being a woman, was of greater concern to the Pakistani government and the public at large.

I found some articles and learned that Raymond Davis was driving on the streets of Lahore in Pakistan when he was approached by two gunmen. He fatally shot both in the back and a third man was killed by a car that rushed over to help Davis. He was arrested and awaiting trial, until about a month later the US government admitted to the Pakistanis that he was a CIA contractor. The US applied pressure to get him released and the families of the victims were forced to accept a financial settlement and sign a pardon. All charges were dropped, and he was immediately flown out of the country on a private jet. No swap needed. One of the victim's wives made a video saying that she was forced to accept the settlement against her

will and she wanted justice for the killing of her husband. Then she took rat poison and committed suicide.

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Around fifteen months after being taken off the SAMs they told me to pack up because I was going into the step-down program to work my way out of ADX. Even though the first step was only meant to let us out for ninety minutes a day, it was an overwhelming change. I was relearning how to interact with other people and going through sensory overload. I used to look forward to my time alone in the cell so that I could return to my bubble. I had lost my sense of depth and distance perception during the previous eight years. When a basketball was bouncing in my direction, I felt it was invading my private space. It had been so many years since I was in a common space that walking in front of the cells among prisoners in the hallway, without handcuffs and leg irons, was awkward at the beginning.

One prisoner who had arrived a few weeks before me was so uncomfortable with this change that he tried to stab someone in the eye with a small pencil. He made sure he was sent back for at least a few years. The years in solitary conditions made everyone so antisocial and aggressive that most of us would get kicked out during the first or second step.

These guys had life sentences and had nothing to lose even if they killed someone. They were either in ADX because they had a terrorism case like mine, or had escaped from another prison before getting caught, killed someone in prison or assaulted staff in front of other prisoners. But the guys here were curious and in awe that I had been in H unit for over three years.

I was also learning some new things about prison culture. If you pass by behind someone you always say excuse me. Convicts get nervous when someone is in their blind spot and saying excuse me means you don’t have any hostile intentions. Not taking such etiquette seriously can get a person beaten up.

When I had to use the shower, I asked if I could leave a cheap Casio watch with my things and I was told there were no petty criminals here. But I was strictly told to take my shoes along and keep them close by in case of an incident. Shower slippers wouldn't work in a fight. They might not steal from someone, but stabbings were common.

One guy came to prison on a five-year sentence but ended up with a life sentence from a new charge after he killed someone for stealing his hair-styling grease. He was always asking for extra toilet paper, walking around stiffly and wouldn't bend down to pick things up off the floor. I found out that he was hiding a shank (a handmade knife) in his rectum. One day he got into a fight and the other guy kept kicking him under his tailbone to push the knife in further so he wouldn't be able to retrieve it.

He once told me that my name was mentioned in a book that he was reading. I thought there must be some mistake, but then he showed me a book by the famous terrorism expert Peter L. Bergen, who wrote that my father and I were caught trying to smuggle weapons of mass destruction into the United States. This was never even mentioned in court. Where do these people get their information, a fortune cookie?

One day I got a message that someone wanted to speak to the young Pakistani guy. So I went to say hello, and he introduced himself as Zaid Safarini. He was originally from Palestine but had spent many years in Pakistan and spoke Urdu. A few minutes later we were trying to remember the different Pakistani foods we missed so much. In prison it isn't polite to go around asking people about their cases, so I waited for the right time to ask him why he was in Pakistan. He was in the famous political prison Adiala Jail where they kept high-profile cases, and was involved in the famous 1986 Pan Am Fight 73 hijacking case connected to the group Abu Nidal that was big in the 1980s but died out in the 1990s.

I was just a six-year-old kid back then, but I remembered that incident because it was the first hijacking I had ever heard of. I mentioned that one of my distant relatives was a passenger on that plane. He asked me the name and pretended to think back and said, "Oh yes! I remember. I let that

one go.” It was just a hijacker’s way of avoiding the awkwardness because my poor relative had actually been shot in the foot.

He was originally tried in Pakistan and was supposed to get the death penalty. Then, through various sentence reductions, it gradually came down to fifteen years. When he was released, he was grabbed during a stopover and flown to the United States to be indicted on the same case.

* * *

I also used to prefer being back in my cell so I could finish my book. I had completed most of my research and had a lot of notes that I needed to put together into one comprehensive argument. I was also nervous about the number of books in my possession, since the policy limit was between eight and ten and I had ten times that number. I knew what an ADX shakedown looked like and I had a lot to lose.

One morning I woke up and saw several staff members gathered in the hallway. That was the first sign of a big shakedown. Then someone yelled, “Water’s off!!” which is another sign. They cut the water supply to stop us from flushing contraband down the toilet. Then the staff came and asked me to strip down and give them all my clothes for inspection. I had done the same routine so many times that I had lost count of the humiliating ordeal. They put me in an empty cell while they passed all my stuff through a scanner.

I waited anxiously while they threw all my property around. I was relieved to go back and see that they hadn’t taken my books. But two weeks later they found a shank in someone’s cell and the lieutenant was furious. They came back and took everything from everybody, and I was suddenly without my research material. I tried to make do with my notes and asked my aunt to order me some of the books that I couldn’t do without.

Meanwhile, the tension in the unit meant the atmosphere was always volatile. One of the prisoners was on some psychiatric medication and was fine until he added some allergy pills. He suddenly started threatening and roaring at different people, doing crazy stunts, slipping threatening notes

into people's cells, slipping food laced with excrement into people's cells and dry snitching on other prisoners. The unit was a powder keg waiting to blow up until he left.

For my part, I made it to the second step in the program. My ninety minutes outside the cell were doubled. Here I had a chance to meet the brothers from the Fort Dix entrapment case, in which three brothers and a brother-in-law were arrested in a plot that was entirely the brainchild of an FBI informant who had manipulated a young, impressionable man from start to finish.

It was two years since I had injured my back, and I needed to get back to some exercise routine. One of the Muslims offered to make me his workout partner and he challenged me to push myself by doing 1,600 to 1,700 push-ups in a day. During pull-ups I caught sight of a twelve-inch scar wrapped around his ribcage. He got it in the Marion penitentiary. Just another day in the BOP.

One morning this guy very respectfully asked me if I saw who slipped this book under his door when he was out. He held up Brokeback Mountain, a story about two gay cowboys. This type of disrespectful prank was unforgivable in prison. He had his suspicions and found out who was behind it. There was a hit out on the prankster, and he started dropping kites (sending notes to the administration) to somehow save himself. The staff were putting us on constant lockdowns and doing shakedowns to find weapons until the prankster gave up—eventually he checked himself into the SHU and left the unit before someone killed him.

During one of those shakedowns, they put us all in a big, open yard while they searched the unit. This was the first time since my arrest that I was under the open sky and I felt something like the fear of heights, but I felt the sky was going to suck me up. I wanted to hold on to a railing or something else on the ground. The sky seemed scary in its vastness, and I felt uncomfortable without a beam or fence in between. I tried to avoid looking up until they took us back to our cells.

As my workout partner left, I spent more time with some of the other prisoners. There was a Cuban named Osiel, a jailhouse inventor who could

make stingers (wires that would heat up in water to cook things). This guy's stuff looked like it could be sold on Amazon.

I asked him to repair my copy of the Quran. After all the heavy usage over nine years it was covered in tape and in bad condition. This book was my most beloved and constant companion throughout my years, with my notes and thoughts on every page. He looked at it and told me he would try his best. He had carefully taken everything apart and then took some cardboard and used glue he made from soaked rice to bind everything together. He even covered the cardboard with design paper so that it looked like something—well, something that could sell on Amazon. The man was a genius.

Another person I met there was a wealthy Honduran named Mata-Ballesteros who was one of the first people to connect the Mexican drug traffickers with the Colombian drug cartels in the 1970s. This led to an exponential increase in drug trafficking to the US in the 1970s and 1980s. His narcotics business was making him around $5 million a week, but he was in ADX because he was behind the kidnapping, torture and murder of a Drug Enforcement Administration (DEA) agent.

There were people of all kinds there and I was on good terms with almost everyone. Like most people, I only knew about the criminal world through popular entertainment, which only covered the criminal side of their personalities. They could have very easily judged me by my label of a terrorist, just as the mainstream media had done, but they didn't and I was also learning to look past my own biases. My judgmental side was being challenged again and again with this nuanced experience, in which I lived among them as one of them and I saw every human side of their personalities. Some had tears tattooed under their eyes. An empty teardrop is a vow to kill someone and it is filled out when they fulfill that vow.

People openly talked about the violent life that they had lived outside and maybe even after coming to prison. Now that there was some time among other prisoners, there was also violence around us. My old peers were used to wearing ties and carrying laptops while thinking about the next big business idea, while my new peers were always carrying handmade

knives and were ready to kill or be killed at any given moment. This world was so foreign to my previous life, but now that I was a convicted felon its harshness was a reality I was accepting and becoming immersed in every day. Even the guards I knew from H unit worked there occasionally. One of them came to thank me for all the force-feedings—with all the overtime he was able to buy a four-wheeler.

The last few weeks were spent making a handwritten copy of the final draft, since I didn't have access to a photocopy machine. My fingers had developed calluses and my cell walls had smudges from all the pencil lead on my hands since I had given up watching TV. Through two years of tireless work, I had come up with a work on the economic history of America that explained the problems it was facing today, and I did all this in the extremely violent surroundings of an underground supermax prison with only meager resources. I felt my ideas were ahead of their time.

As my six months were about to finish, we discovered that the administration was going to close the unit down. I was put on a plane that same morning after five and a half years in one of the most famous prisons in America. But this time I was not on the SAMs, so no more private jet for me.

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Con Air took us the long way from ADX: Colorado to California to an airport transit prison facility in Oklahoma, where I was confined in their SHU for about a week. Eventually I made it to Terre Haute, Indiana, where I had to make many new adjustments.

A brother who had arrived from ADX before me said that everyone from there was visibly disoriented in the beginning, and I was no different. I felt like someone emerging from a dark, enclosed theater into the openness of daylight. It takes some time to get used to this after a few hours inside the theater. Multiply that by nine years in MCC and ADX. I battled with sensory overload, and I would see other people struggling like I was, blinking too much or exhibiting other twitches when they arrived.

The brothers used to make fun of the way I walked, but I hadn't walked around like this for nine years. When the doors were unlocked in the morning it felt like too much freedom to be able to walk out of my cell whenever I wanted and to stay out most of the day. It was just too much, and I preferred staying inside my cell unless I had something specific to do outside.

I had to relearn how to live with other people. In the step-down program, we had only an hour or so together, but here I had to learn to be part of a community. I had to relearn how to be social and accommodating towards others. That's still a work in progress, but it was hardest in the beginning. I was also never around staff without heavy restraints before and it took some getting used to.

Here in Terre Haute, the Communication Management Unit (CMU) was something between individual isolation and the regular prison population in the sense that it was a unit isolated from the rest of the prison and the world. All our communication, including letters, calls, visits and (now even)

emails, were monitored by an office in Virginia called the Counter-Terrorism Unit. Phone calls were easier and more frequent but affordability was an issue—I was paying $0.99 a minute to call Pakistan.

The community here was a melting pot of Muslims from the US, Egypt, Palestine, Kuwait, Syria, Bangladesh, Somalia, Afghanistan, Yemen, Iran, the Philippines, Saudi Arabia, Albania, Macedonia and Sudan, among others. Most of the guards here were white, mostly farmers who worked on their land during their off weeks. There was also a deep racist tradition that was stronger among the older ones but still had some traces in the younger ones.

I had spent nine years in fully air-conditioned cells that were freezing in the winter, but this facility was originally built in the 1930s. None of the cells were air-conditioned and mine had hot water pipes under the floor. However, because my depth perception was still not normal, I was pleased to be on the ground floor. Coming downstairs was a little dizzying, confusing me about the distance between me and each stair, and I lost my footing a few times. Once I was about to fall down the stair top when this young Muslim brother was fast enough to catch me.

One of the earliest memories I have from the CMU is of my neighbor Abdul Hakim Murad, who I knew from H unit at ADX. He came to me concerned that the head of the Muslim community told him to lead the Friday prayer service. He was nervous because he had little experience in public speaking. Before coming to New York, I had been making business presentations in Pakistan to the city mayor right out of university. But over the last nine years I had done very little speaking, public or otherwise. I had even lost the basic social skills I once posessed. Still, I told my friend that I would help him, and I did.

While we were in his cell, I asked him to just get up and start speaking on any topic of his choosing. We did that for a couple of weeks. Then I asked him to start speaking in the prayer room with only me sitting in front of him. I wanted him to start getting comfortable in the place where the Friday prayers were held. We did that for a couple of weeks. Then I started adding some people besides myself so that he could build his comfort with

more and more people. When the day of his sermon came he was very nervous the whole morning, but he did as well as I expected him to do. For me it was a deep sense of accomplishment during the sermon that I was able to train someone in public speaking and slightly embarrassing when he wouldn't stop thanking me later.

What I didn't notice was that the head of the community also had his eye on me during this time, and he called a meeting in which he made me one of the regular Friday sermon speakers. Unlike everyone else, I wasn't qualified for the job. If he gave me a business presentation, I would be right at home, but I had no academic Islamic education. But he didn't care. If I didn't know anything I needed to pick up a book and get to work. So, I did. And I was learning a lot. I had to learn well enough to teach others.

I was also hired by the education department to help run some courses, which I then taught as a financial literacy course prepared by the Federal Deposit Insurance Corporation. A gang member from the Latin Kings asked me to teach him math. The examples in the book were meant for little kids so I switched to something more relevant to the world we were all being forced to live in. If it mentioned two pounds of sugar I might use two kilos of cocaine instead. I changed group examples to gang examples. People were removed in subtraction because they got shot or stabbed. I don't know how happy he was with this, but he played along because he could see that I was trying to make an effort.

I now had another opportunity that had escaped me in MCC and ADX: the chance to learn enough Arabic to understand the Quran without a translation. When I reached Terre Haute, I was able to find someone who was willing to tutor me. Learning a language was not my thing, but I finished a few exercise books and was able to at least read the Quran in its original text.

Ramadan in solitary was a very lonely experience but after a very long time I was experiencing it around others. We were half of the CMU population, so the mess hall was empty all day. An hour before sunset we all sat together for Quran studies, then prayed and ate together, before going back to our cells. At the end of Ramadan, celebrating together was a great

experience where we shared food, jokes and stories and tried to create a festive mood in a difficult situation. We were building community with each other with what little opportunity we had.

Our peaceful respite through prayer, however, was apparently a threat to others. I learned that one of the Muslims was suing the prison to allow us to take our daily prayers together. The government didn't want a bunch of terrorists to gather a few times a day. The brother's case was simple: We cannot go off script because the words of the prayer can only be from the Quran, not our own words. As the lawsuit proceeded, we discovered that they first decided to stop the prayers because of complaints from some bigoted prisoners who couldn't stand the sight of our congregational prayers.

The judge decided to see the unit herself and was surprised to see that we could eat together, sit in the TV room together and play basketball in a small sports cage together, so she didn't see any reason why praying together should be treated differently. She explained how none of the government's objections were valid.

The BOP was not happy with the decision and became the worst sore losers. The brother who filed the lawsuit was thrown in the SHU during the trial over some trumped-up accusation. Rules steadily became more restrictive: Any privileges we had started disappearing one by one, the friendlier staff were replaced by more confrontational staff and they were looking for any excuse to sanction us over the pettiest issues. Every single Muslim, old and young, went to the SHU at one time or another.

When it was my turn to be targeted, I refused to accept any food. As always, they laughed in the beginning, but as the days turned into weeks they lost their sense of humor. One day a guy in a suit came to my cell and threatened me, "You're gonna eat!" He repeated, "I will make you eat! I am the associate warden here. I used to be the captain at ADX." On the last point, I told him that I was also from ADX, and he suddenly lost his confidence. I guess he didn't know. He asked me which units I had been in, and I mentioned H unit. He asked me if I was there during the famous hunger strike of 2009, and I told him I was one of those who were force-

fed. I was force-fed dozens of times. His tone changed and he tried to reason with me and asked me not to bring ADX problems to the CMU. I told him how unfairly we were being treated here. He left frustrated and then I had a similar conversation with the warden. They replaced the serious shot with a more benign one as a peace offering and I got off after being force-fed a dozen times.

This time I experienced a severe reaction when I wasn't eating, and a rash broke out from my neck to my feet. I used to scratch myself until I was bleeding, but relief only came when I stood under scalding hot water. During one force-feeding session the tube insertion caused a lot of internal injuries and it came out looking like a red snake. To my knowledge I am the only one in the CMU who was ever force-fed in the longest hunger strike in the CMU's history.

* * *

Around a decade into my incarceration, some of my relatives on my father's side, a few cousins, were able to visit me for the first time. So much had happened since I was a free man among them. Our family name was dragged through enough mud that even those who knew us our whole lives were having doubts. The government had such an authoritative tone and monopoly in controlling the narrative that it was hard to remember the person they grew up with—that is until we were face to face again after all this time.

It was a very emotional reunion for all of us. The visit started with "miss you brother" confessions and concern about my well-being, and my concern about how they were targeted and harassed by the authorities after my arrest. Life was made difficult for them for no reason except that they were related to me, and I felt the burden of what they were being put through because of me.

Time passed slowly. A few years after I arrived at the CMU I received a notice that a letter from the Red Cross was sent back because it constituted inmate to inmate correspondence. Abbu?! It was the most contact I had had

with my father in nearly twelve years and I was excited by the mere fact that something he wrote had made it to my building.

I found out that other prisoners can correspond with their immediate family members in other prisons, so it was worth a try. I spoke to the unit manager, and she told me she wouldn't even know how to arrange it. Normally one warden reaches out to the other one, but this was not just outside the BOP, this was in the Department of Defense. She didn't even know if Guantanamo Bay had a warden. I suggested that she find out from the Red Cross. After many months of total silence the unit manager finally arranged for me to start correspondence with him. I was given letters that he had been writing for a few years.

My very very dearest Uzair,
Assalam-o-Alaikum. By the Grace of Lord Al-Mighty I am doing as good as I could under the circumstances, and I pray day & night for health and well being. May Allah shower His blessings on you and keep you in His refuge. I keep myself busy reading, writing, teaching inmates, praying, exercising etc. etc.

I sent you earlier a short letter and greeting, so far there is no confirmation and I do hope this letter reaches you.

One of our inmates is a painter, he gifted me to send to my family members, I hope you like it …

Please do write about your day to day activities, and what kind of inmate[s] do you have with you, your mother told me that you are working inside the prison, teaching your fellow inmate[s]. ...

I love you infinity and miss [*sic*] a lot every moment.

Feb 21, '13
My dear Uzair,
Assalam-o-alykum. I am doing as good as possible under the circumstances and I pray to Allah for your health and well being and keep you in His refuge.

> As you already know I again failed to satisfy U. S. government to release me. I want you to believe me I tried my level best to cooperate with my attorney and I had two U. S. army officers as my Personal Representatives to defend me and help me to prepare my case, we had some coordination difficulties, in the past I had similar hearing[s] in 2004, 2005, 2006, 2007[,] and 2008 hearing was cancelled just before hearing. We were 779 detainees here, in each hearing and diplomatic negotiation some detainees were released.

He had no idea why I hadn't been writing back all these years. In my first letter, I began with, "My dear friend and father," and explained that the problem had not been from me personally. I began writing letters, sharing updates about my life, entertaining stories and jokes, and trying to continue where we left off after twelve years of no communication. On November 14, 2014, he finally wrote back confirming that he had received something from me, "I am very happy and it is a very good surprise to receive your letter, please write more in detail, how do you spend your day and night?" The two-way channel of communication was finally established, and we were at last allowed some contact.

Meanwhile, an inmate named Robert Hoffman II became my exercise partner. He once worked for Naval Intelligence and had an espionage case in which an undercover agent posed as a Russian to buy some secrets from him. We worked out together for a couple of years and became friends. Since his work in the Defense Intelligence Agency included encryption, he shared puzzles and encryptions with everyone for fun. Sometimes he would share a puzzle with me, and I would take it to my cell without a second thought. Sometimes I would go back to my cell and find his puzzles lying open on my desk and I knew that some guard had been through it.

But one odd day during a big shakedown they found such a paper in my cell and suspected the worst. "Paracha, you know we just allowed you to write letters to your father?" They thought I was writing coded messages to my father and my hair stood on end. I explained that the puzzle was given

to me by Hoffman several months before there was any chance of correspondence, but they needed to investigate it and threw me in the SHU.

Past experiences had taught me to be ready to go back to ADX on the SAMs. After all, I was dealing with a government that rewarded its staff for being paranoid. But I was fortunate that the person in charge of the investigation was a military-trained encryption specialist and knew what she was doing. Hoffman also confirmed that it was his puzzle and to my surprise I was cleared a week later.

However, being treated fairly, as in the above incident, was unusual, and there were many times in which the guards showed their pent-up hatred towards us. One guard told a Muslim gang member, “You’re a BLOOD. What would you do if a Crip came on your territory?”

As the years went by, my last thoughts at night and first thoughts when I woke up were always about the anxiety and uncertainty of the future. Was I going back on appeal the next morning? Maybe before the end of the week? My twenties were already lost and now my thirties were slipping away.

I kept busy by playing my part in the community. About a year after I got there, I was asked to help in the safety and security of the community and keep our peace within and outside it, including between inmates and staff. In between I was also asked to manage our fund pool, which we used to help some brothers with financial problems who might need necessities or to manage community events such as religious holidays.

In early 2015 we were trying to choose our new head of the community when the unit manager pulled me into an office and asked if I was going to become the next imaan (he was mispronouncing imam, which means the head). I told him no. I told him that I was too young. He reminded me that the previous imam was only forty-seven. I said yes, but he looked seventy.

Yet one morning, the newly chosen head of our community and other elders were suddenly transferred to the Marion CMU. Since I was the person most involved in community affairs who was left behind, they didn’t have much of a choice but to put me in charge. It was a tumultuous twenty-seven months during which the administration was constantly increasing the tension in the unit; sometimes I was trying to save a life, at other times I

was threatening to take one to protect someone else and I was even getting into confrontations with the staff in a way that was pushing my boundaries.

One newcomer was the “baddest lawyer in the history of New Jersey,” Paul Bergrin. The Department of Justice had a conviction rate above 92 percent, yet this guy had a success rate extraordinarily above everyone else and was one of the few lawyers who advised his clients to go to trial instead of accepting a plea deal. He could drive into any gang’s territory and no one would touch his Bentley. I heard that his downfall came when the FBI saw a pattern of government witnesses being intimidated or killed. He was charged as an accomplice in trying to get government witnesses out of the way and got four life sentences.

While he was in the CMU he was suddenly sent to the SHU and quickly sent to ADX. Guards later told us that he had filed some papers in court with secret personal information about government witnesses from his own case. This spooked the Department of Justice who had no idea how he came into possession of this information and they panicked and put him on the SAMs. To this day he has no idea about the morning that I had to stop someone from stabbing him to death because of all the stupid stuff he used to go around saying.

In early November 1996, a white supremacist named Randall Scott Anderson was serving time at the federal penitentiary in Lewisburg, Pennsylvania and decided to ask a fellow inmate named Sayyid Nosair about Islam. After doing some research and speaking to Sayyid he decided to become a Muslim himself.

But gangs have a rule of “blood in, blood out.” In different gangs it meant different things. For some BLOODs it meant you had to make someone bleed to become a BLOOD. So, there were cowardly stories about little kids getting cut in the face by a random stranger. If someone tried to leave the gang they might get a serious beating as part of their farewell party.

To other gangs “blood in” meant you had to kill someone to get in and “blood out” meant that leaving the gang was a death sentence. Such was the situation of Anderson, who had decided to reject white supremacism for

Islam. His former fellow gang members killed him a few days later, leading to a bloody prison war between the Muslims and the white supremacists. Eventually the BOP moved most of the supremacists to the west coast and the (mostly Black) Muslims to the east coast.

Sayyid Nosair was one of the first Muslims arrested on a terrorism charge back in 1990 for the assassination of an ultra-nationalist Jewish rabbi called Meir Kahane. Kahane was convicted of multiple crimes in Israel and New York, including acts of terrorism, and was a hate speech activist. It was an open and shut case against Sayyid, but he always asserted to his family that he was not guilty and told me about a 2006 book by Peter Lance, titled *Triple Crossed*, which showed there was more to his story than people were told.

As part of a new batch of arrivals, we had this young guy who was married to Laura Bush's niece. He had some case of defrauding the government. He was out on bail just a couple of weeks before he was sent to the CMU. It was over a decade since I met someone who still had free air in his lungs. He was complaining about how his whole life was ruined and we tried to comfort him that things were going to be alright. Then Mahmud Abou Halima, who was from the 1993 World Trade Center bombing case, asked him how many years his sentence was. Everyone in that circle had decades to do and Abou Halima was serving a 117-year sentence. When he said five years, we were all a little speechless. Abou Halima asked him, "Did you say five years?" Abou Halima had lost all pity for the guy and turned away saying, "You'll be alright man. You'll be okay." Most of us had done so much hard time that five years seemed like a walk in the park. As a brother said, "I did five years on the toilet."

20

In 2017, five and a half years since I arrived at the CMU, things were getting claustrophobic as they started restricting our movement within the small space of the unit. Many prisoners who came to the CMU around the same time as me or after me were transferred out to be among the regular prison population. I asked why I was being kept back but the staff had no idea.

Preventing violence was becoming more difficult day by day and I kept warning the authorities that every time they increased their restrictions it made everyone act out on each other. But they wouldn't take my warnings seriously. After one incident they spoke to me, and I was so fed up that I asked them to get me out of the unit regardless of whether they sent me to the compound, the other CMU or even ADX. I expected something horrible was going to happen sooner or later and given my position in the community they would somehow hold me responsible. They thought I was just getting overexcited, and my warnings went in one ear and out the other.

On top of that, it had been so long since my appeal was filed that a fellow prisoner couldn't believe a judge would keep a decision pending for so long and asked me to check with the clerk of the court. I checked. Still pending. I also let go of my lawyer because I didn't want it to be a financial burden on anyone anymore.

My weekly calls with my mother were a constant feature of my life. Most of the time it was just banal conversations. But around the end of October 2017, she told me that she and my father might be getting a divorce. That news hit me very hard, and I felt something like PTSD because it reminded me of how my hopes for marriage were brought to a cruel end. I still remembered how much they once meant to each other.

After that call, I went back to my cell and felt paralyzed by a sense of hopelessness. I had to try something. But what? Then I thought about the Rule 33 motion that was filed with my judge nearly nine years before. If nudging the judge would antagonize him and the motion was denied, then so be it. It was worth the risk. I dug up my legal papers and went to someone for help. I gave him a quick summary and then showed him my paperwork. His reaction was not a surprise.

I had with me what is metaphorically described as the holy grail of the legal system: newly discovered evidence. People in the unit had devoted years of their lives to find a loophole to reopen their cases and here I had possession of what every prisoner dreamed of. He asked me why I quietly waited all this time with this. I told him I had stopped caring about going back a long time ago but there was a problem in the family due to which I had to try. The legal course was to file a writ of mandamus, which is a motion to compel the judge, through a filing with the appellate court.

No one can compel a judge, but nine years was so overdue that just complaining to the appeals court should prompt my judge to act. He thought that I could have even filed a mandamus after three years asserting that my judge was taking too long; nine was beyond ridiculous. But first he recommended that I write a subtle reminder to the judge, asking for an update on the pending motion.

Holding that letter in my hand I told myself that that was my last chance to stay asleep or finally wake up. If I put that envelope in the mail, there was no looking back: I would be committing myself to whatever I needed to do to go back home. I had to overcome my fears and resist the temptation to keep doing what I had been doing for nearly a decade and a half. Just remain a convict. But I did overcome it.

After handing it over, things went back to their usual seesawing between deadly and boring. Some new Muslims came to the unit, and I saw in them the potential to do a better job at managing the community affairs than myself. I saw it as a sign that it was time to go. I just didn’t know where.

In late November I was having a slow start to my day when the guards stopped me right before I stepped in for a shower, and told me to put my uniform on. I was being moved to the regular compound immediately. I saw the brothers waiting to say goodbye. We had become family and we didn't know if we would ever see each other again. After being processed, I moved to the largest, most crowded unit in the facility. I felt like I had just come out of years of house arrest and been put in a noisy fish market. There were 120 inmates in the unit among a total prison population of 1,200.

I first asked if anyone from the CMU was there. I knocked on the door of a brother who had left the CMU a few months before me and he gave me a warm welcome. Then the head of the Muslim community dropped by to meet the new guy and helped me get settled into my assigned cell.

I had a cellmate now. A young Black guy named Lu who registered himself as a Muslim for some privileges, but he didn't know the first thing about Islam. Lu was a very quiet, shy and polite person who never mixed with any Muslims until he met me. He used to see me pray, recite the Quran and read my Islamic books and he started getting curious. After a few days we were praying together, and I was teaching him about Islam.

Coming to a regular compound for the first time needed some getting used to. CMU arrivals also had some extra restrictions. I was on a two-hour watch. Every two hours I had to find a guard to call in and report my whereabouts.

They were also concerned about how influential a Muslim from the CMU could be. There were knowledgeable Muslims from the CMU and brothers throughout the prison system were always hungry to learn. But we were prevented from leading the Friday sermon and prayer and were not allowed to sit in a group of more than four. I was forced to take a break after five years.

When I was in 9 South and 10 South there were cameras inside the cells, and in ADX and the CMU there were closely monitored cameras everywhere in the units. Here there were only a few cameras, and I was lost in a crowd of prisoners for the first time.

Federal Correctional Institutions (FCIs), which were medium-security prisons, usually had a big yard under the open sky. I would go out into the yard the first chance I got and walk the track for two hours while I recited the Quran. There were hardly any people out in the freezing winter so early in the morning.

Now I was allowed as many minutes on the phone as everyone else, so I was calling everyone a lot more frequently. The CMU also had a very strict policy that didn't allow any visits without an appointment two weeks in advance, and the visit was done in a small room separating the prisoner from his visitors with a glass window and bars, allowing them to communicate only through a telephone receiver. Here in the FCI it was face to face and more personal.

Another difference was with medical care. In the CMU I waited three years to see a dentist. A PA would only visit the unit a few times a year. Seeing a physician was even rarer, and seeing a specialist was almost unheard of. It took me over four years to get an MRI scan and see a specialist. Prisoners were used to responses like, "I don't treat terrorists," and "Tell Obama to take care of you." But now I simply had to walk over to the medical building and wait my turn. They had many other facilities that were out of reach for the CMU inmates, but if I wasn't seen walking outside, I was probably lying on my bunk with a book.

The head of the community, the imam, was spending time with me studying or discussing community matters. Sometimes he would take me along to help him resolve some issues. The brothers had been extremely warm towards me since I had arrived and always treated me like family. Given that I had a terrorism case, I would have been an easy target for many gangs, but unbeknownst to me the brothers always kept their eyes on me to make sure I was safe. The guards would try to incite prisoners against us, but it was the strength of the Muslim community in the prison system and their open heartedness towards us that meant Muslims on terrorism cases like me have safety in the system.

The Muslim table in the chow hall was the only table in the hall where I saw all colors and races sitting together. You didn't hear loud, immature

jokes and foul language or see people playing practical jokes on each other. The brothers always kept a pleasant demeanor, and we had our light moments, but everyone acted like adults.

The penitentiary across the street had LGBTQ prisoners, snitches, child molesters and dropouts who had left a gang. All these people would be unsafe in a regular penitentiary, so the Terre Haute penitentiary was converted to a dropout yard. But the medium-security FCI where I was still had an old-school culture where this didn't exist.

Lu told me that stealing was rare in the FCI since everyone was part of a gang or belonged to a state "car" (Indiana, Illinois, Oklahoma, etc.) with rules that everyone had to follow. Lu left a sweatshirt in the yard one day but found it in the same place the next day. Picking unnecessary fights or stealing weren't tolerated from any individual, and sooner or later they were caught and checked into the SHU. This system kept everyone in line. The prison administration was okay with this way of internal checks and balances, but they kept contact with the leadership of each group. If they didn't like how things were going on with a gang, they would just transfer the shot caller (local leader) out of the prison.

The FCI also had an economy where people were making moonshine, scented soap, meals, snacks, protein bars, candy, etc. They provided services such as cell cleaning, laundry and shoe cleaning. They had gambling tables, and kitchen workers would sneak food and different ingredients out of the kitchen and sell it. How exactly did people pay for any of this? Stamps. Stamps were cash and there were tons of them floating around. Business was done with them every day. I once saw the guards catch someone sneaking around with a bag containing at least a thousand dollars' worth of stamps. It was heartbreaking.

While I was there, I made my signature jailhouse chocolate fudge brownies, and it took us a whole stressful day to make my jailhouse cheesecake. Prison recipes are not very close to the real thing, but when we used to make our stuff in the CMU we wanted it to be as close as possible.

Meanwhile, what happens in every prison was also happening in Terre Haute. Gang fights, crackdowns with teargas, investigations and all the

other drama that was just another day in the Terre Haute FCI.

This entire time, I never forgot about the letter to the judge. Because of the holidays, I gave him over two months to respond. By the end of January 2018, I started looking for a jailhouse lawyer. I was told about a guy named Lou who claimed he used to be a lawyer before he came to prison and had been doing legal work in Terre Haute for many years. I grabbed my paperwork and went during his working hours. I explained everything and he told me the same thing I was told in the CMU. I would have to file a writ of mandamus, which was a simple and straightforward complaint against my judge. He expected that filing the mandamus would be enough of a nudge to stir my judge to act.

Around the same time a Palestinian Christian named Malek Aliane had arrived from the CMU. He was loud, nosy and talked a lot, and I found him annoying. But my community was good to him while he was in the CMU. I asked him for updates about the CMU and we ran into each other a couple of times.

Before proceeding, I consulted some brothers about my conversation with Lou, and they brought up something that I hadn’t considered before. Apparently getting legal work done in prison was expensive. It could easily be a few hundred dollars. That was disturbing, but I saw no easy way out of it. I went to see Lou in the library to talk to him about his fee, a conversation I did not look forward to, but Lou wasn’t there and I was stuck in the library for the next hour. I looked around and saw Aliane sitting at one of the tables.

Frustrated with the entire situation, I went to him and asked him if he knew how to file a mandamus. The good thing about someone who likes to talk a lot is that they tell you about themselves without you having to ask any questions. I already knew that Aliane knew something about legal matters. I gave him a quick summary of my case and appeal. Then I showed him my paperwork and the letter I mailed a few months ago.

I got the same reaction from him that I got in the CMU. He was surprised that I had such a silver bullet and wanted to know why I waited so

long. He had done mandamus filings before, and he only needed an hour or two to write it down for me. He would get back to me within a day or two.

He offered to type it for me if I bought a typing ribbon, but I told him the judge was not deserving of a typing ribbon. I was angry because the judge had not only ignored my appeal for nine years, but he had even ignored my letter from last November. More seriously, I believed that there was no point in spending money on something that would only happen if it was meant to happen. Highlighting nine years of injustice should not need to be typed to be taken seriously. I saw people paying more attention to presentation, but many times their arguments were weak. I felt I had a strong argument and it had merit even if it was handwritten. After we went over some details, he agreed to write something down for me so that I could copy it in my own handwriting and mail it in.

I asked him how much he was going to charge me for this work. He reminded me of the times my community had shared food with him and refused to take anything, since his financial situation was much better than mine. Instead, he asked me to see if I could find him a notebook. They didn't sell them in commissary, but they did give them out occasionally.

When I went back to my unit I asked if anyone in the community had a notebook I could purchase. Within a few hours someone came to my cell with two notebooks and a message from the previous owner that it was a gift, and he didn't want any payment. I explained what I was going to do with them, but I was gently told that the issue wasn't up for discussion.

Aliane wrote it up and showed it to me. It was short and to the point. After giving the background information, it mentioned that through counsel I filed a Rule 33 motion in November of 2008 for a new trial, which had been pending for over nine years because of which the judge has "abused his discretion," and that I am entitled to orderly, efficient administration of justice, and waiting 110 months for a ruling was a clear abuse. I requested the appellate court to ask my judge to give a ruling one way or another.

I made some small changes and made a handwritten copy, with the original to the appellate court and the copy going to my trial judge, who was the defendant in this complaint.

My father’s lawyers had started visiting just before I left the CMU, and they came back for a second time right after this filing. I showed them the brief and asked them to keep it to themselves. If I lost, then no one would be disappointed, and if I won, then everyone would find out anyway. I wanted them to know just in case they needed to plan their own legal strategies around it. It wasn’t a very long visit, but when they asked if I wanted something from the vending machine, I said three helpings of ice cream. Then I asked them how much they cost and found out how expensive they were compared to a regular store. I expressed my amazement while asking for one more helping before they said goodbye.

After filing the brief, I asked Aliane some questions that had been playing on my mind. Was it possible that the judge simply forgot about me? He explained that every judge is aware of all the cases pending on his docket and a terrorism case is impossible to forget. This delay was not an oversight. It was intentional. But if this appeal was such a problem, then why didn’t my judge just deny my motion soon after it was filed and get it over with? Why drag it out for so many years? He explained that the judge didn’t grant my motion because he was afraid of the backlash from the public, the media and possibly other centers of power, but he didn’t want to deny my motion either because he knew that there was merit in it. It still didn’t make sense to me. Who cares if it had merit? There was no shortage of injustices committed against Muslims in terrorism cases. Who cares if there was another one? He was a federal judge. Who would question him? To this Aliane said that the evidence must be strong enough that the judge was afraid that if he denied me, it would not only be reversed by the appellate court but the appellate court would also have to explain how my judge made an incorrect ruling on the matter. Judges are very sensitive about their sense of judgment being brought into question and he didn’t want to take that risk. So he left it in limbo the whole time. Aliane’s answer was the smartest legal analysis of my case that I’d heard so far and it all made so much sense now.

I waited anxiously until the clerk of the court sent the mandamus back saying that I had made a mistake and sent an appellate court appeal to a trial

court. I should have sent a cover letter to explain what it was, so I quickly wrote a letter explaining that it wasn't a mistake. The original was filed with the appeals court. This was a copy for the defendant, her boss.

A few weeks later I got a response from my judge saying, "If any party wishes to supplement those [original Rule 33] submissions it shall do so on or before March 19, 2018." He would finally be giving a ruling on the motion.

I was speaking to my case manager in Terre Haute about my transfer. Prisoners were brought from the CMU to the regular population for a five- or six-month probationary period, and then transferred to another prison. I had been asking about my request for transfer for a while, but the case manager was being lazy about my paperwork. Finally she sent it to the Designation and Computation Center in Grand Prairie, Texas.

An interesting coincidence about the appellate court filing was that I had filed pro se, meaning without being represented by a lawyer. But from the other side I saw the name of the original prosecutor from my trial in 2005. He now worked in the appellate court. The man who once prosecuted me was now defending my judge against me in appellate court by sheer coincidence. One hell of a coincidence.

But my judge went silent again. I started getting nervous about the delay until I received some paperwork—apparently Joshua Dratel, the lawyer hired by my cousin, was never officially taken off my case. When the judge had asked if anyone had anything more to add, Joshua filed some additional paperwork, and this was the reason for the delay.

The month of Ramadan had arrived, and since I was not supposed to do any teaching myself, we came up with an arrangement whereby I would give Quran classes to someone during the day, and he would teach the rest of the community in the evenings. We did that for the whole month. The only ill feelings came from how the chaplain was treating our community while we were trying to observe the regular Ramadan activities.

After Ramadan, suddenly the imam was sent to the SHU on an investigation and the community was going through some big changes. The new imam asked for my help to keep the community together and with

some other community problems. This helped me stay busy while I awaited word from the judge.

At lunch time on July 3, 2018, I went to check with the case manager about my transfer. She had filed the papers a few weeks prior and we were expecting them to designate me any time now. Before I left the conversation I said, “You never know. I filed something in court, and I might be going back before I get transferred to the next prison.”

PART IV

The Unhappening

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July 4, 2018 was a holiday in the US. The courts were closed, and I didn't expect any development. I saw that there was no waiting line for the phone early in the morning and gave my mother a call.

Before we had a chance to talk about anything else, she told me that my sister's friend had sent them a news article saying that my judge had voided my trial. Since I hadn't told anyone anything, they thought there must be some mistake. This made no sense to them. But I told her it was true. It was like I gave her permission to be happy and she slowly let it sink in. I also explained to her that I had lost all hope for myself, and it didn't have anything to do with me, but I wanted to return to try and prevent the divorce between her and my father. She was very happy about this breakthrough in my case, but she told me the problems between her and my father were a separate issue. I just didn't know how not to sound stupid if I told her about the burden I felt in my heart. Everything was fine the day before I was arrested. All bad things began with my arrest, and I felt the responsibility to right every wrong that our family has suffered since then.

When the call ended, I went to the guard assigned to our unit and asked him to Google something for me. He refused, but I wasn't taking no for an answer. I told him my family had just informed me that my conviction had been overturned, and I needed to verify that. So he did look it up and confirmed that it was true as reported by Reuters. I asked him when the decision had been made, and he told me the article was from the afternoon of the day before. With everyone thinking about their fourth of July celebrations it was a good time to quietly release such an unpopular decision.

I stood on a balcony at the end of the unit staring at the crowd of prisoners walking around. In a way, I felt the same indifference to the

biggest change in my life as I did the night of my arrest, when I was in the holding cell looking at the pedestrians through the window going about their daily lives. My world had stopped that night, but the rest of the world was moving on. Now the prison world wanted to continue as usual while my world had changed again. I used to have these dreams in which I was saying that I am not crazy, and my Lord is not a liar. I meant that I was not crazy in my belief that this was something between me and my Lord that I had to see through. In saying that my Lord is not a liar, I meant that He did not mislead me. Afterwards, I would wake up and ask myself what these dreams meant. I felt they represented the deepest convictions I was grabbing onto. After all these years I felt those personal convictions had been vindicated. Even though I was still in prison and still a pretrial inmate, the never-happened-before thing just happened.

When I ran into the case manager, I asked her if she remembered our conversation from the previous day, in which I mentioned an appeal—she cut me off and told me she already knew what I was about to say. CMU staff had already shared the Reuters news piece with her.

I shared the news with some of the brothers one by one. My cellmate, the new imam and a couple of other brothers. Everyone was very happy for me. One of the brothers I was doing recitation classes with sounded heartbroken that I was going to abandon him like this. I tried to be useful to the brothers as much as possible, but I was aware that they were saying this more out of brotherly love than anything else, and things have a way of working out with or without specific individuals.

Later that week I was scheduled for a legal phone call with Joshua. We congratulated each other and shared the fact that neither of us knew that he was still my lawyer. He told me that the government had already made a plea offer for time served, that is, if I pled guilty, the government would accept the time I'd already served as my sentence, and I could go home immediately. But I told him that my answer was the same as it always was.

He told me the government was planning to appeal, which could take up to a year. My heart sank at the news of this delay, but whatever difficulties lay ahead I wanted to attend the different court proceedings, even if they put

me back in 9 or 10 South. He was going to ask for a writ transfer, and I could expect to fly out soon.

When I shared the offer for time served with some brothers, they immediately tried to convince me to take it and go home, but I wasn't going to be convinced so easily. That didn't stop them from trying, and I would pass by brothers who would only say, "Brother go home," and I realized that word had spread among the community. One brother came to my cell and made a well thought-out argument to convince me to take the plea, as I could do a lot of good if I was outside. I told him that I had already gone through this with my whole family, my lawyers and even other Muslims for over fifteen years. I could take my time and fully explain my reasons, but the conclusion of that explanation would be that it was just something between me and my Lord that I had to do. This was the first time I said it in those words, and when I said it, I realized that this was what it was supposed to be about this entire time. It didn't leave much room for discussion.

I tried to reach Aliane as soon as I found out, but it took me time to catch him in the mess hall. In that crowded, noisy hall I loudly told him that the judge had overturned the conviction. After making sure that it was all five charges, he was ecstatic and looked up to say a prayer of thanks. Then he told me that they would probably make me a good offer soon. I informed him that they already had. "Time served." He was excited until I told him I was not going to take it. "Now Paracha, you need to seriously think about this." He tried to talk some sense into me, but I told him that I had made my decision a long time ago.

When the brothers argued that I needed to do what was best for me, I wanted them to understand that for me it wasn't just about going home anymore. Before the first trial, my only concern was for myself, and I just wanted to go home. I wasn't really concerned about the Department of Justice. This time I was concerned about the injustices committed time and time again against me and so many other people I knew, and I didn't want to win as much as I wanted injustice to lose. Maybe it would help someone else tomorrow.

I went to the unit manager, an infamously grouchy woman who I had avoided so far, and introduced myself. I told her that my conviction had just been overturned, and I wanted to know what was going to happen to me. She asked me to repeat what I said, and when I did she said, “Oh shit! We need to lock you up in the SHU. You cannot be out here with all these convicted criminals!!”

When I went back to my unit the warden was making his weekly rounds. I asked him if he knew who I was and he denied it a little too quickly. I told him that I was just trying to find out what was going to happen to me. He said, “You won’t be here for long,” and walked away.

I also received a package from Joshua with the judge’s decision and a cover letter saying, “please find a copy of Judge Stein’s Order issued today granting the Rule 33 motion for a new trial. Yes, you read that correctly; I had to read it a couple of times myself to make sure. Congratulations. Please call me at my office so we can discuss the next steps, which may very well include a government appeal.”

Because it was a difficult decision, I expected that the judge would detail his reasons for ruling in my favor. It covered the high requirement of legal standards where the original jury verdict may be set aside, and a new trial can be ordered if the trial court perceives a miscarriage of justice. The judgment depended on a five-part test, requiring that the evidence was newly discovered after trial, that we had done our due diligence to obtain the evidence before the trial, that the evidence was material to my case, that it was not just cumulative or impeaching, and lastly but most importantly that it would likely have resulted in an acquittal in my trial or induced a reasonable doubt in the minds of enough jurors to prevent a conviction. The last part was also the most difficult for me to meet and for the court to analyze, because it required the court to look backward and forward at the entire record made at trial and in this motion filed later.

Then the order went into detail. The government wasn’t fighting the first three elements of the five-part test, and they had responded to this new evidence by saying that it added to the old evidence but not enough to have changed the verdict. So, the judge responded, “That is not a correct

characterization of the majority of the new evidence presented by the defendant." The judge asserted that the statements presented at trial were more ambiguous about my innocence when Khan said he "might have been interested in recruiting Uzair Paracha" but "would only give Uzair Paracha a 5–10% suitability assessment," due to my moderate views. But the new statements were more explicit: "Uzair Paracha is innocent; he is not a criminal," and Khan "never told [Paracha] that I was Al-Qaeda." In June 2007, "Khan commented that he thought Uzair Paracha was innocent, but got 30 years," and that "Uzair Paracha did not do anything, went to trial, and got 30 years." The judge felt, "Especially given Khan's central importance to the charges in this case, his new, repeated, and unambiguous assertions of defendant's innocence are not simply cumulative of the stipulative testimony offered at trial."

To leave no room for doubt, he added: "Nor could Khan's exculpatory statements necessarily be dismissed as the product of ignorance or at least not so easily as the government argued at trial. The CSRT [Combatant Status Review Tribunal] transcript indicates that Khan reviewed portions of the testimony from Paracha's trial and 'd[idn't] agree with everything UZAIR said,' *finding that,* '[e]verything is very contradicting in the transcript.'"

Then there was Khalid Sheikh Mohammed (KSM). There was a "'glaring absence' of references to [the] defendant or his father from KSM's newly discovered statements." The judge asserted that "the admitted 'operational director' for Al-Qaeda openly confessed his responsibility for dozens of heinous crimes and terrorist plots, including Khan's gas station plot in which Paracha's expected support was allegedly designed to play a role … In the course of these statements KSM freely named Al-Qaeda members," but, "[c]rucially, KSM nowhere mentions [the] defendant or his father. From this new evidence, [the] defendant could credibly ask the jury to infer Paracha's innocence and lack of involvement in the operations discussed."

> It was entirely consistent with Paracha's guilt, the prosecution argued, for other low-level operatives like Khan and al Baluchi to remain in the dark as to the extent of [the] defendant's knowledge … But KSM's statements would not have been susceptible to this counterargument given his central role in Al-Qaeda, his confessed direct participation in the planning of the specific operations at issue at this trial, and his familiarity with the specific Al-Qaeda members involved. Had [the] defendant been able to introduce this evidence in the form of stipulated testimony from KSM, the government would have been forced to abandon its attempt, throughout the trial and in its final words to the jury, to "embrace" the stipulations offered by Paracha, on the theory that "those stipulations, as a whole, … do not help the defense in any way."

In the new statements, Khan and al Baluchi also denied being members of Al-Qaeda, with Khan disputing the government "label ... Khan al Qaida," repeating "I am not al Qaida," and al Baluchi saying, "I do not belong to Al-Qaeda, the Taliban or associated organizations." And KSM confirming, "To my knowledge [al Baluchi] has never had association with al Qaida, [the] Taliban or associated organizations." So the judge saw that I "would be able to argue on retrial not only that [I] never knowingly aided the terrorist group, but that [I] never aided Al-Qaeda at all." "[T]he several new statements asserting Khan and al Baluchi's non-membership in Al-Qaeda most certainly are not cumulative of trial testimony, because the parties stipulated to the opposite conclusion—that they were members of Al-Qaeda—at trial."

So overall, "the combined weight of the newly discovered material, non-cumulative statements, considered in conjunction with the quality of the proof at trial, leads the Court to the conclusion that [the] defendant's new evidence would very likely 'create a doubt that did not otherwise exist' … the Court finds that 'the evidence preponderates sufficiently heavily against the verdict [such] that the serious miscarriage of justice may have occurred.'"

Speaking about the summary statements we used as the main piece of our defense strategy, the judge mentioned that “the unclassified summaries were themselves prepared and disclosed by the government after review by the court.” In other words, the government picked what statements we would present for my defense. “The reason the government was able to take this tack was that the defendant stipulated, on the basis of the evidence available to him at that time,” which the government provided us, “that Khan and al Baluchi were in fact members of Al-Qaeda and that the summaries offered by the government were accurate representations of what they would testify to if given the opportunity to appear at trial.” He was highlighting that we were forced into a compromise to use the stipulations, and that “the government was able to narrow considerably the field of dispute”:

> This is not a situation where the new evidence discovered after trial would merely be another factor in the jury’s calculus. Rather, the evidence … would have substantially changed the defendant’s trial, because it would very likely require the exclusion of important evidence admitted at trial and because it would require the Government to change the theory of prosecution it presented to the jury.

Since the court needed to look backward and forward, the judge mentioned that he was “troubled by a series of inconsistencies between the bank records offered by the prosecution and the aspects of Paracha’s confession they were meant to validate … matching neither the amounts of the purported transaction nor the details of their description,” and that they “constituted essentially the only independent evidence supporting pretrial confessions in key areas. Although the prosecution presented ample evidence of the tasks Paracha intended to undertake to assist Khan—the vast majority of which he did not contest at trial—it possessed but little proof beyond his own words that he acted with the requisite knowledge and motive to help Al-Qaeda.”

> [The] Defendant's theory of the case would certainly better explain various outlandish and uncorroborated details of his statements … Paracha may have taken encouragement from the fact that his misbegotten strategy appeared to be working … agents refrained from placing him under arrest for the first three days of interviews, "[b]ecause he was cooperating," and as he then avoided criminal charges for an additional two months after his arrest.

Reading this part, I wished the judge also knew the details about their threats to send me to a military base.

> The critical question in this case is now and has always been whether Paracha acted with knowledge that he was helping Al-Qaeda … the Court concludes that the newly discovered material evidence would yield a fundamentally different trial and likely create a reasonable doubt favoring Paracha's theory of the case over the government's. In such circumstances, "when it appears that an injustice has been done," Rule 33 commands "that there is a new need for a new trial in the interest of justice."

When the excitement had died down, I felt a deep sadness that the very person who concluded that an injustice had been committed shared a large part of the responsibility for that injustice by ignoring my appeal for almost a decade until I filed the mandamus. Had he granted the motion within a year of filing it, a very reasonable expectation, I would have gone back in 2009 instead of 2018. Had he taken our interests more seriously for the trial and allowed the witnesses greater participation in my trial we might have won in 2005. Had he taken our pretrial motion for access to witnesses more seriously, we might have avoided a delay and won in 2004.

It reminded me of the early months and years, when I still had a chance at saving my life from being destroyed, when there was something deep inside me saying that the truth would come out one day, but by then it wouldn't matter anymore. It would be far too late. And was it not too late?

Had the judge found some way to listen to what these people had to say in 2004—if only, if only, if only.

Law in the real world showed me that the most powerful person in the courtroom was not the judge. It was the prosecutor. The prosecutor could decide whether to charge a person or let them go, whether to charge them with a misdemeanor and let them off without any jail time or charge them with the most severe interpretation of their action, which could carry a potentially long sentence. Whether to indict them with two charges carrying eight years or five charges carrying seventy-five years for the same exact crime, as was done in my case. Whether to drop a case or throw the book at someone. There are many decisions made by a judge that can be reversed through appeal that if done by the prosecutor are completely at his discretion and cannot be questioned.

The judge is less a referee between two equally matched opponents and more a check on the overwhelming power of the prosecution. Mine was an extreme case, where we were presenting a defense while completely in the dark about essential witnesses that the government had unlimited access to. But in every case the prosecution has a lot more power than most people realize.

I visited my case manager in her office. She looked excited about my reversal, “You’re on Wikipedia.” As if I even knew what Wikipedia was. After telling her about my conversation with my lawyer and the warden, I asked her how long I would have to wait before they shipped me back to court. She explained that the warden would want me out of Terre Haute as soon as possible, because if anything happened to me while I was in Terre Haute, the warden could have a potential lawsuit on his hands, asking why I was still in a post-conviction institution in the first place. I could get attacked by someone out of jealousy and would be able to sue the prison and all this could create headaches that the warden wouldn’t want to risk.

Then she shared a story about when she was in Iraq: She realized that we are all human beings and essentially want the same things in life, such as taking care of our families. I asked her how she would feel if she was having problems with her husband and I, as a complete outsider, decided to

invade their home and take over one of the bedrooms and bathrooms and started playing referee. How would she feel if I started telling them how to behave and who was wrong and who was right in each argument? It was fourteen years since the Iraq invasion, and the weapons of mass destruction story had been exposed so long ago that instead, pro-war advocates had come up with various other excuses. I didn't want to pretend that I was okay with all that just because of an overturned verdict.

I also found out that the transfer to the next prison, which I had been asking about for the last few weeks, had finally been approved and I was designated to go to a low-level (between a medium and a camp) security prison in Yazoo, Mississippi. If I was sent back, that's where I would go, unless I was given a longer sentence in my second trial. In the meantime, I would be a Terre Haute prisoner going on appeal to New York.

It was also important that I speak to some of my relatives. Personally, I was broke and couldn't afford to pay for a lawyer myself, but I also didn't want my family or relatives to end up wasting their hard-earned money just to be helpful. Money wasn't the issue.

On Thursday, I was told to report to R&D, and they told me to bring my belongings the next day for storage while I went on my writ. I explained that this was no ordinary writ. I was going back to trial and needed all my stuff, but my situation was so unheard of that they had no procedure for it. On Friday, I gave all my property to R&D. I knew that I wasn't going anywhere over the weekend, so I asked my cousins to visit me before I went back to New York, because I didn't know how long it would take to get them back on the visiting list.

They drove all the way from New York and told me how excited everyone was. During the conversation someone speculated that this might lead to an offer allowing me to go home earlier. On the condition that they kept this information to themselves, I told them that my lawyer had already called me about an offer from the government along those lines. Me and my big mouth. It was obvious to them what I needed to do, but I was firm that any option where I was going to plead guilty was off the table.

While I expected to fly out early in the week, my cellmate Lu was also finishing his sentence and was about to move to a halfway house on the coming Tuesday. During the weekend it was hard to concentrate on anything. All my stuff was in R&D, so I could only pass the time by picking up a book. But my life had become more exciting than any novel I tried to read, and I wasn't able to get anywhere.

I was reminded of the early days, when the thought of my life falling apart was too difficult to escape through novels. This time it was because of a welcome distraction. Before going to sleep, a thought came to my mind that I shared with Lu. "I'm not a convict anymore." But I had been in jail for most of my adult life and no part of it could be erased so easily. "It's been so long, I just can't wash that out of my veins."

On Monday morning, July 16, 2018, I was told to report to R&D, and after getting processed I got on the BOP bus to the Terre Haute airport after six years that now had no legal justification. The plane went to the same Oklahoma transfer facility airport prison, and I was put in solitary confinement as before. I was a last-minute addition handwritten at the bottom of the list.

When the chaplain made his rounds, we recognized each other from Terre Haute. He was the head chaplain before they brought in a new guy, who had made life very difficult for us. I told him how much more difficult things became after they replaced him, and he tried to choose the right words to express how miserable they made him when they were trying to use him against us. It was about personal bigotry rather than prison security. He described it as "hell" and told me that it was why he decided to leave the place. He wished me the best of luck and told me that he would pray for me.

A few hours later they brought a young Black brother who also had a terrorism case. He was a polite young man who hadn't been Muslim for long—a teenager from Columbus, Ohio, who was sentenced to seven years for giving a few hundred dollars to help Muslims in Somalia. His sentence included court-mandated medication for life because he was diagnosed as schizophrenic. What confused me was that if the court recognized his

schizophrenia, then why did it sentence him to seven years, and if it wasn’t an important consideration, then why did the court mandate lifelong medication?

After a few days I was again shackled, chained and handcuffed and flown to Harrisburg airport in Pennsylvania where a bus took us to the Federal Detention Facility in Philadelphia. It had been many years since I saw any city streets and I was mesmerized. Philadelphia had a strong Muslim population, including in the detention facility, and I got a glimpse of how much things had changed in all these years.

Early next morning we were again put on the bus going to the federal facility in Fort Dix, New Jersey. We exchanged some prisoners and drove towards New York. After a few hours I saw the New York skyline appear at a distance along with other familiar places that came on the way to Metropolitan Detention Center (MDC), Brooklyn.

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When we drove over the water into Manhattan, I remembered a version of myself who used to walk around these neighborhoods fourteen years ago. He had his whole life ahead of him. He came from a nice family and had just started a new business. He looked forward to the future. He was healthy. That version was so far behind me, I felt that he was just a figment of my imagination. But it becomes harder to tell yourself it was not real when you go back to the places that were part of that reality and experience all the old sights and smells again—like the familiar streets of New York.

MCC is probably the ugliest building on that island. Rumor had it that those involved in building it ended up in MCC themselves. While I was being strip searched, a guard asked me where I was from. “Pakistan.” “No, where are you from over here.” I told him I used to live in Brooklyn, and he thought that was why I looked familiar. I told him he probably remembered me from when I was first in MCC. He was a newly recruited rookie right before I was transferred out.

As always, it took the entire day to process me. I asked some new guards about old names and some of them were still around, probably close to retirement now. No one had any idea why I was there. A day or two later an SIS lieutenant came and asked why I was back. Since my file said I came from a regular population unit they decided to let me out of the SHU.

After seeing how other prisons are managed, I had a better idea of how badly MCC was run. It fulfilled the goal of the prosecutor’s office to keep defendants under pressure. I ended up in a cell with someone who smoked synthetic marijuana all day and most of the night. In Indiana they called it Tunchi. On the east coast they called it K-2. It could be a mix of different dirt-cheap ingredients, including nail polish and rat poison, that were potentially very risky since they were always changing. I would wake up

with a headache and sore throat every morning from all the late night, secondhand smoke while I was asleep. I had to move out.

The place was run by the BLOODs more than it was run by the guards. The food was being handed out by the BLOODs and at every single meal the food ran out before the last ten or fifteen inmates got their trays, while the BLOODs were giving extras to their friends. No gang would allow this nonsense in a prison because it would lead to wars and bloodshed. But these guys were completely clueless about what a real prison was like.

Some of the guards told me that MCC had only two-thirds the number of staff members they needed to run the institution properly. They could get all the overtime that they wanted because of staff shortages but it was a serious security risk. It was also a sanitation nightmare and getting cleaning supplies was impossible. The CMU had a rat infestation but the one at MCC was far worse. When I woke up in the middle of the night, I could see rats running around everywhere.

Neither 10 South, ADX nor the CMU cared much about the attorney–client privilege of our legal visits, legal mail or legal calls. It was common knowledge among all the Muslims on terrorism cases that they were regularly listening, watching and opening our legal mail. But after a decade and a half, I was finally getting legal visits with my counsel in the regular legal visit area. Unlike 10 South, there were no cameras or audio recording devices here.

A couple of weeks after I arrived at MCC I was due for my first court appearance. Before court, I got a visit from Joshua, who repeated his reassurance that I could be home in less than a month if I only pled guilty. I had five charges carrying ten, ten, fifteen, fifteen and twenty-five years respectively. I had already done more than fifteen years so the only single count with which they could justify my incarceration now was the twenty-five-year charge. That’s what they wanted me to plead guilty to in exchange for them offering time served and immediate release. But I refused again, feeling the need to stand up to this injustice.

So it was, in August 2018, that I walked back into the same courtroom after more than twelve years. The judge didn’t seem to have aged much, but

the years had not been kind to the prosecutor. He worked for the appellate court but he was making a special appearance for this case, since he was the one who first prosecuted me. As the hearing began, the judge talked about setting a trial date unless this issue could be resolved before that. The government told the judge that they were planning to appeal and so this case was going to be out of his hands soon, so the trial date couldn't be set at this stage. I asked my lawyer what the judge meant when he said he wanted the case to be resolved before going to trial. Did he mean he didn't want this case to go to trial at all? But Joshua thought I was reading too much into it.

Within a few weeks of my arrival at MCC, we found out that the entire unit was being shifted back to the dorm. I was quite anxious about this because after so many years of solitary confinement and living alone in a cell in an isolated unit, I was being subjected to the other extreme of what I went through in 10 South. I didn't know how I would adjust to it. One day we were all told to tie our stuff up in bedsheets and were moved to the dorm unit.

Each dorm had thirteen double bunks for twenty-six men in a very tight space. The bathroom had one shower stall, one urinal, one toilet with a wall around five feet high and a swinging saloon door, and one big sink with two faucets. The bathroom was where everyone usually did their drugs so you had to choose the best time to use the place.

Some guards were spreading rumors that inmates were complaining about drugs in the unit. Since I had a problem with my first cellmate over his drug usage, they started suspecting me. In a regular prison baseless accusations were strictly punished, but these guys were running wild with their imaginations. So it was good that in the dorm they could see me all day while nothing was hidden from anyone.

I spent my days on my bunk speaking in tongues for a few hours a day. They thought I was crazy, but I was just reciting the Quran. When they became curious, they asked me my story. Suspicion turned to trust and respect. When there was an incident in the unit, my older bunkmate joked that we might be on lockdown for a few days. I told him that I had been in

solitary confinement for nine years. Lockdowns meant nothing to me. In response I only heard Spanish curses flowing out of his mouth. When the whole unit protested the behavior of a guard, the administration told each dorm to appoint two representatives to voice their issue. My dorm asked me to go. Word went around and people who used to give me negative vibes were now trying to be friendly. MCC had its own full-time imam on their payroll. He asked me to be his backup and lead the Friday service if he was off or out of town.

They used to say that prison could make you or break you. In my case, I remember it breaking me before it rebuilt me into anything. However, some things seemed irreparable, and as I returned to where it all started I was getting flickering memories of the person I used to be. Back then a guard once told my neighbor that “Paracha has that innocence in his eyes, unlike you. You look like you’ve seen stuff, been through a lot.” Now that was lost. I’d been around. I’d seen stuff.

Back then in MCC a male guard was sharing vulgar jokes with a female guard in the elevator while I was standing right next to them in handcuffs. I was invisible to them, as if I didn’t exist. In Indiana I was once on the dentist’s chair when his assistant mentioned that someone had mixed up her online order for flowers. He was so outraged that he forgot about me with my mouth wide open, bleeding and numb. This process of making us invisible again and again over so many years had dehumanized me in my own eyes.

It was very difficult to live without my Quran with fifteen years of annotations, familiarity with each page and the bond that I had developed over such a long time. I requested Terre Haute to send it over, along with my legal papers. They sent some papers and said that was all they had. Did they trash my stuff? The lawyer suggested that I file a tort claim, but how would I put a price on the one book that carried me through the most difficult moments of my life? A book that I had opened almost every day for fifteen years. A book that I had memorized. A book that I was uncomfortable being without for even a few hours and cherished and had repaired a couple of times. I was using a prison copy, but how could it ever

be the same? It was one of the greatest losses I suffered in prison, and it was something I never got over.

I was anxious to get home to alleviate the circumstances that were leading to my parents' divorce. But soon after losing my Quran, I found out that their marriage had already come to an end. They were waiting for the right time to tell me. I felt that I had failed again. I had failed at saving my own potential relationship before my arrest and I failed to save my parents' relationship this time.

A couple of months later there was another status conference in court. In this one the judge was more explicit. He stated that he had already mentioned this in the previous hearing, but he was going to say it again. Although the law prevented him from participating in any plea proceedings, his preference was for this matter to be resolved before going to a trial. This was not so subtle, and Joshua admitted that I had sensed it right in the previous hearing.

Joshua filed a bail application in November with a hearing scheduled soon after. Just as they did before the first trial, my relatives came through and did everything to support the bail application. We were willing to accept the most restrictive terms, but the judge denied the application, repeating the same old mantra of national security and the public interest without explaining how it applied to me. These matters were a lot simpler than everyone pretended they were. After gathering enough courage to make one brave decision, he was not able to make another one. What did surprise me was what was discussed after he denied bail:

Judge: Are the parties continuing to attempt to resolve this at this level?
[He was asking if we were trying to settle this matter out of court before it went to trial.]
Prosecution: Your honor, literally from the 5th of July, which was the first business day after your honor's opinion, the government has made clear that it is open to conversations with Mr. Paracha through Mr. Dratel.

We have reiterated that on multiple occasions, and in the now nearly five months that have passed, we are awaiting the defendant's response.

The prosecution had admitted in open court that the government was trying to work out a plea deal, but the problem was from our side. Reversal of a conviction was pretty much unheard of. In the rare case that this happens, the government usually sends a message to the defendant that if he chooses to go through another trial there is the real risk of another conviction, and even in the best-case scenario the trial itself could be years away after new motions and hearings. Usually, defendants wisely decide that enough is enough and they plead guilty to anything to let the government justify the years of incarceration. In return the government asks for time served and everyone has a chance to quietly put it all behind them and move forward. That's why the judge did not expect me to be the problem. I saw that he was trying to process this. I saw what I had imagined countless times over the years: The judge realizing that I was willing to go through it all over again.

Judge: Mr. Dratel I am handicapped because I can't involve myself in these, but that is surprising to hear, given the fact, as you have said, that the defendant has been incarcerated for fifteen years already and has been, according to the papers—and I have no reason to doubt it—a model prisoner throughout that time.
Joshua: Yes. All I would contest with respect to [the prosecution's] remark is that we are waiting for a spot. We have had discussions, we have had some response, but we have not made progress that would bring us to the court for a resolution. We will keep that in mind and look for opportunities.

I wouldn't have had a problem if Joshua admitted to what the government said but he tried to spin it in my favor. The judge had to know more:

Judge: What is the path to resolve it, again, without the involvement of the court, if you feel free to …

Joshua: I would just say, for want of a better explanation, for us to be creative and use our imaginations in ways that both parties could be satisfied.
Judge: Well, do that.

Despite Joshua's evasion I felt the judge had some idea where my mind was. Good.

After the first offer to plead guilty to the biggest of the five charges, the government sent a new message that I could plead guilty to any charge, as long as it was a terrorism charge. We seemed to be on different planets, and I just sent a simple no. Then the government came back with a third offer that I could plead guilty to any charge, and it didn't need to have terrorism mentioned in it. Still no.

From the first few days of my return to MCC I had been meeting old-timers I knew from back when we were all much younger. We talked about how much things had changed since back then. My old counselor was working overtime and always tried to help me out as much as he could. I said hello when he had his back turned and he recognized the voice but not the face. News started spreading that Paracha was back and I was running into guards who I had to pretend to remember. The old recreation guys remembered their old nickname for me, "Parachachacha." I asked one CO if he remembered me and he said, "Are you kidding Paracha? I remember you from when you first came, back in the day, when you were this big." Then he spread his hands wide enough to refer to a baby. I knew so little back then that I understood what he meant. The younger ones found out about me and started saying that I wasn't just an OG (original gangster—a sign of respect), I was an OOG. I ran into one CO who was a lieutenant now. He asked me about my father, who he remembered was in Guantanamo Bay. I asked about his son, who had run into trouble with the law. When I told him I was back on a reversal his mouth fell open. But not every reunion was so pleasant: I ran into the guy who had withheld warm clothing during my first winter in 10 South. I thought he didn't remember me, but he clarified, "Oh I remember you. I just don't know why you're not in 10 South." Still evil.

I had the experience of prisoners much older than I was. I looked very young, but I had fifteen years of hard time under my belt. I would hear the other convicts add a disclaimer to their past, saying, “I’m not proud of what I did,” because they were trying not to glorify a life of crime and punishment. But I was clear, “I have nothing to be ashamed of.” I was wrongfully convicted and had the paperwork to support it.

The two-hour watch followed me to MCC while my dorm slept very late at night. After speaking to the counselor, she moved me in with the kitchen workers, who had to go to sleep and wake up early. The kitchen workers would bring extra food for themselves and liked to share it around. One guy named Toro, with a kingpin drug case, was the oldest kitchen worker and slept in the bunk next to mine. He couldn’t speak any English, “English *basura* [garbage].” Even though we never had a conversation he always made sure I was well fed.

Most of the kitchen workers’ tier had Hispanics, with an inmate they called padre (father) who handled their Bible studies and community issues. One day he asked for my help with a guy named Steve who was always making racist and bigoted remarks. The Hispanics barely spoke English, but they understood what he was saying. They were about to beat him up, but the priest wanted to prevent any bloodshed. We sat down with Steve and warned him to watch his mouth for his own sake. Later the priest thanked me for helping him and told me that he wanted me to take over as the head of his community after he left. As flattering as this was, I tried to explain to him that half of the tier didn’t even speak English, but he told me that he knew how they all felt about me and he needed me to look after his people after he was gone.

Meanwhile, the government had asked for a couple of extensions to file their appeal against the judge’s decision. But after six months of feet dragging, on the last day of the filing they decided not to appeal the decision. The appeals process could have taken a year to eighteen months before things came back to the trial court, and we had just saved all that time. The judge wanted a hearing in late January to set a trial date.

Before the hearing, Joshua and I had a heated argument about him not taking care of some matters that I had asked him about again and again. He was frustrated that I was focusing on other issues when I could just plead guilty and go home. It was a replay of all the arguments before my first trial, but I was a lot older now and pushed back hard. Eventually he got fed up and asked me how far I was willing to fight them. Would I fight them even if they dropped the case? I told him that if they dropped the case there would be nothing left to fight.

The other issue was the trial date. We needed to file some motions over the next few months, but Joshua had two other trials and wasn't available to do mine before November. The judge called the hearing and Joshua told him the same thing, but the judge said that I had already waited long enough, and he wasn't going to make me wait any longer than necessary. The judge started asking Joshua about his availability every month from May onwards. The prosecution also had other commitments, but the judge was willing to move his schedule around for my trial. He kept pushing for an earlier date until Joshua agreed to August.

During the early weeks of my return, Joshua suggested that I see a psychologist that he knew. He felt that no one who went through what I had could be unaffected by the experience and that I needed someone to help me deal with it. I suspected that he just wanted someone to convince me how crazy it was to refuse the plea deal, but I accepted the offer and in the process I made a good friend.

Doctor K was one of the most experienced psychologists for death row and Guantanamo Bay prisoners. I used to avoid talking about how I felt and she made me realize that it was because it was unbearable to be me. She would have conversations that normal people have about their normal lives, but I did not know the way back to being that person. She would go out of her way to extract my feelings and thoughts on things, and she tried to help me rehumanize myself.

I shared with her a conversation I had with one of my father's lawyers: that after so many years in prison, I didn't know my place in the real world anymore. Everyone had moved on in life. They built careers, started

families and were at different stages. While I was always happy for them, I just couldn’t relate to any of it anymore. The lawyer had asked me if I was describing jealousy.

I asked her to pretend that she was one of the male guards. After this visit, she was supposed to make me do a strip search before I went back to my unit as per procedure. I would be asked to humiliate myself and take off every article of clothing. Then I would put my fingers through my hair, show behind my ears, in my mouth and under my tongue, my underarms, my private parts. And I asked her to suppose that before she allowed me to get dressed again she asked me a friendly question. She was expecting to go out on a date that evening and showed me a tie and asked if this tie would look good with this shirt or suit. I might give my honest opinion. But how would anyone feel when forced to stand naked while giving advice on something as mundane as a tie. I hadn’t been treated like a functioning person in society in a decade and a half. It wasn’t jealousy. It was a feeling of awkwardness in this world.

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One of the things that I asked Joshua for was to get in touch with a law professor at the City University of New York (CUNY). He finally did, and Ramzi Kassem came with his colleagues Naz Ahmed and Tarek Ismail, who were all part of the Creating Law Enforcement Accountability and Responsibility (CLEAR) project. By way of an introduction, Naz mentioned a 2014 Human Rights Watch report written with Columbia University's Law School Human Rights Institute, titled "Illusion of Justice: Human Rights Abuses in US Terrorism Prosecutions." I had been profiled in the report and Naz was involved in making it.

I mentioned that it had a chart about detention conditions with different things different prisoners went through, including pretrial solitary confinement, post-conviction solitary, ADX, pre-trial SAMs, post-conviction SAMs and the CMU. I was the only person who was mentioned in every single category. There were plenty of brothers who had been through a harder time than me, but I had seen it all.

My father had been asking my family to reach out to Ramzi for a while, but they weren't successful until Joshua called him. I asked them to take my case. He explained that the CLEAR project at CUNY had two criteria for taking a case. It had to be a terrorism case and the defendant had to be unable to afford private counsel. I passed both and they said they would think about it.

I explained to them the offer for time served and my intention to still go to trial. I needed a team that would fight tooth and nail because I was not going to take a plea in any shape or form. The Southern District of New York was undefeated on a terrorism case and, like everyone else, the CLEAR team also felt that it was too risky to go to trial, especially if I was offered time served. I explained that I was willing to face the consequences

of my decision and was ready for whatever they did to me if I lost again. I had already been through everything they could have done to me. I had been in solitary confinement for nine years, on SAMs for six years, in prison for nearly sixteen years and force-fed dozens of times. I had been through every hardship they could have put me through. They had already destroyed me. What could they do to me that they had not done for a very long time?

The lawyers told me to think about my family. That they needed me back home. I told them that a family that can live without someone for sixteen years has already learned to live without that person. If I lost the case, I knew exactly what to expect. I knew what prison was like. It was the outside that was unfamiliar to me now. But none of these was my real reason for needing to fight this case. It was just something (between me and my Lord) that I had to do. Even if I lost. Even if they gave me seventy-five years this time. Joshua had told me that the court wouldn't give me a longer sentence than before, but there are no guarantees. Either way, it didn't matter. What everyone saw as a great risk didn't seem like a risk to me, because I looked at my life and saw that there was nothing left to save. They told me they'd think about it and get back to me.

One of the inmates I used to spend time with was someone extradited from Ireland named Gary Davis, who was accused of having a role in the Silk Road transactions made on TOR (The Onion Router). When I first shared my story, the look of sympathetic horror on his face made me smile sadly and I admitted, "Yeah, they killed me."

While Gary was coming back from court, he ran into someone named Steve who had just arrived from a CMU. Since the reversal happened after I left the CMU, I didn't know if anyone there knew what happened in my case. Given how fond the guards were of creating rumors and maligning people's character, I was anxious that there not be any lies about the reason for my return. When Gary told me I went looking for Steve and we hit it off right away. He told me that everyone back at the CMU knew exactly what happened in my case and everyone, especially the brothers, were really excited about it when they found out. I was glad to hear that, because we

always wanted the best for each other, and every legal breakthrough set a precedent that might help others.

After some time, Ramzi came back and told me that the CLEAR project had agreed to take my case. Based on advice once given to me by Ahmed Abdul Sattar, the former paralegal and interpreter who I had met at 9 South years ago, I asked them for a commitment to visit me every two weeks to keep me updated. This allowed me to stay in regular touch with them.

One time I was called for a legal visit, but when I went downstairs, they told me that Special Investigative Services wanted to speak to me in their office. The head of the division wanted to know why I was back in MCC. The prosecutor's office probably didn't enjoy telling people the reason, so they decided to ask me. After I briefed him, he told me he had a lot of respect for me. I wished I could've said the same.

The convict code prevented me from being too specific, but I told him they had no control over the institution, which was a danger to inmates and staff. He told me they were working on some things, and they were going to bring in the DEA to crack down on the drug problem. I didn't know if he was telling me the truth until there was a massive shakedown in which I saw DEA dogs.

But their problem was much deeper than just drugs. Even some guards were gang members, and that gang was almost running the prison. Some drugs were coming in through staff and some through family visits. Family members would hide drugs in their body cavity and slip them to the inmate, who would quickly hide them in their own cavity so that it wouldn't even be found in a strip search. One guy smuggled a bag of drugs the size of a large cucumber in his rectum.

MCC was exceptional but the BOP was flooded with drugs, especially synthetic marijuana. On the one hand, it was simply too difficult to keep out, but on the other hand, the officials were okay with it because it kept the prison population distracted. When prisoners weren't getting high, they were getting into fights and causing trouble, so the BOP preferred to keep them drugged up because they had nothing better to offer them.

By the eighth month, I was settled in MCC when someone told me that they heard my name on the list of transfers from Manhattan to the MDC Brooklyn, just a twenty-minute drive away. I didn't believe it. The other names made sense. Those guys had pled guilty or were sentenced already and on their way to their designated prisons, but I was still a pretrial inmate who was going to court next door and was about to go to trial.

I really was on the list. I wasn't happy that I was moving and would have to start from scratch in a new place, but I didn't have a choice in the matter. When Gary heard me complaining, I felt embarrassed that an atheist had to remind me, a person of faith, that some good might come out of this.

In early April 2019 I was put on a bus for Brooklyn. I overheard someone say that he had been to county, state and federal prisons in different parts of the country and MCC was the worst-run jail he knew. I had heard so many bad stories about MDC that I didn't know what to expect. But anything would be better run than MCC. As always, I looked for the Muslim community in the unit, but I was a stranger and they didn't know what to make of someone who had arrived from a prison.

One day we were all sitting at the dinner table and I couldn't believe my eyes when I saw my name on a newsletter sitting on the table. It was from a human rights group about the breaking news of my verdict being overturned. They read the article and realized why I was there. Even when I went for a legal visit some lawyers were looking in my direction and I discovered that my case was being talked about by people in the legal profession.

To get out of the cell, I would do my recitations in a small prayer room. The brothers saw this and asked me to lead their prayers and Friday sermons within the unit. During Ramadan they asked me to lead special Ramadan prayers and teach some classes.

After Ramadan we had our special Eid prayer gathering for the whole building in the chapel, and the BOP imam asked some people to share stories or something for everyone's benefit. My community pulled me out to speak for them. Afterwards the imam said he wanted me to lead the

larger Friday service for the building. He had spoken to the community in my unit, and they recommended me for the larger service.

I was a lot busier than I had been in MCC. As I was building a community once again with my Muslim brothers in MDC, I was also bringing Ramzi up to speed on the case. I mentioned my heated argument in which Joshua asked me if I would fight them even if they dropped the charges, and had said there would be nothing left to fight. Ramzi asked me if he could communicate that as our demand to the government, to drop all charges. I was fine with that, but I didn't see them ever agreeing to anything without a conviction. I offered to throw something in to sweeten the deal and told him I was willing to leave the country and give up my green card. I wanted to go back to Pakistan and never saw myself ever wanting to come back here anyway, so it wasn't much of a sacrifice; at the same time, I thought it might give the government a chance to save face.

He presented it to them and we got a dismissive rejection right away. We didn't expect them to say yes, but at least a counteroffer had been made. So far the government's offer went from plead guilty to the biggest charge, to okay plead guilty to any terrorism charge, to okay plead guilty to any charge—it doesn't have to be terrorism. But then they came up with the most ridiculous one yet: Okay you tell us what you would be willing to plead guilty to. I didn't want to dignify it with a response.

* * *

Now that I wasn't in solitary confinement, not on medication that oversedated me and had a better idea of the system, how would I want my case to be fought? I still find it absurd that any justice system in the world accepts something as a confession when it isn't on video or audio, not even a signed statement. Or that any justice system in the world would consider summaries (rather than direct quotes) made days or weeks later based on notes that the accusers don't share with the court as a "confession."

But looking back at the first trial there were some things that happened that I wasn't even aware of. Ed had been asking FBI agent JM what the

basis was on which they were asking me different questions during the interrogation, and then Ed asked for a sidebar:

Judge: What's the problem?
Ed: The problem is this, judge: I intend to ask the agent whether or not the information she received with respect to the terrorism plot and Uzair and Saifullah Paracha was from Majid Khan. ...

And I also know, that, according to the material witness warrant that was issued on the affidavit that accompanies this as part of the 3500 material, my reading of it was that the person who gave that information to her [FBI agent JM] may have been Majid Khan, and I wanted to inquire about that but I didn't want to do anything that would disrupt our record or interfere with issues of national security. That's why I asked to come up before I asked that question.
Judge: Thank you.
Prosecution: Your honor, it absolutely would raise the issues that Mr. Wilford has raised. By specifically asking whether [agent JM] received information from Majid Khan of course would require her to answer as to the fact that the government did have such information.
Judge: Yes.
Prosecution: And, in fact, I want to point out the material witness warrant affidavit specifically used the pseudonym for the individual in question. It says CW2, I believe is the one it refers to, but for precisely this reason—so that there is no disclosure of the existence of the ability to get information from any particular person. And so, were Mr. Wilford to pose that question, in fact it is correct that Agent [JM] would be required to divulge classified information to answer it.

But, I would like to add, I don't believe that it is relevant here where the source of the information was. Mr. Paracha, of course, is not charged with a chemical weapons plot of any kind. Rather, the charges here are based solely on the information that Mr. Paracha provided after he was found.
Ed: Well …

Judge: What's the relevance?
Ed: The relevance, judge, is that the questioning that occurred of Mr. Paracha was because the agent's state of mind was that he was potentially involved in this plot, and their whole approach to him and the questioning that occurred.

And especially in my opening, we are concerned with the reliability of the statements that were made that goes into the interplay between the questioning, why they questioned him in the manner that they did, the information that they had and his responses to it. ...
Judge: You can't ask if the information came from Majid Khan given the national security clearance set forth in my ruling prior to the beginning of the trial.

Later on, Ed tried to press the same agent again to get her to admit Majid Khan's role in my so-called confessions, but the government called for another side bar:

Prosecution: Your honor without conferring with [the] agent [JM], I believe that her concern on questions like this which have to do with, "What else did you do to try to confirm some of this information?" is that such a broad question would encompass an answer that would include her efforts that would include classified information.
Judge: I understand.
Ed: Your honor, I will ask a specific question, "Did she do anything to verify?" She can answer that question yes or no without implicating secret information.
Judge: But I believe the way you phrased it did not—why don't you say, "Did you take steps to verify?" rather than, "What did you do?" I think that's the way to phrase the question.
Ed: Judge, while we are on the subject, it is very difficult—it's almost like we have our hands tied on the side because we're contesting the veracity of the statement, and we don't have any information with respect to national security showing that the government made to the court …

Prosecution: [T]o the extent that any information is in existence that is in the knowledge of the agents relating to the information—
Judge: That's exculpatory. It's been produced.
Prosecution: It's been produced which would mean that the only remaining information would be inculpatory … so it can't possibly prejudice the defendant by having the agents be unable to talk about it or otherwise.
Judge: To further inculpate the defendant.
Prosecution: Exactly.

The government used national security excuses to manipulate the judge's decisions based on lies, while the judge allowed himself to be manipulated. The evidence submitted in the Rule 33 motion proved that the witnesses had plenty of exculpatory statements to make, whether that was on the record or not. Ed and Anthony tried to put up a fight, but the judge didn't protect my rights during the first trial.

The government's case was that they were relying on statements that I made during the investigation. There was outside information that the government never let us get access to and pretended didn't exist. That was the case presented to the jury. But based on their interrogation of me, I knew they were using a mix of what Majid Khan said under torture and their own paranoid imagination to ask specific, leading questions and guide and interpret my answers as they chose. We might have been able to show that to the jury in the first trial if we had access to the witnesses, but the government invoked national security and the judge couldn't think of any creative solution to ensure a fair trial.

What exactly did the interrogators think they knew when they were speaking to me during the first weekend and proffers? Why were they not even willing to share what they found when they double checked any incriminating thing I told them (Ed brought this up during cross-examination and the closing statement)?

I wanted to put everything in front of the jury this time. Ed made a strong case of the heavy-handed way in which I was interrogated, but the

strongest reason why I didn’t invoke my right to remain silent was their threat of sending me off to become a forever prisoner at Guantanamo Bay or some other military base. It was a real threat. It was happening to other people in MCC. But my lawyers were worried about biasing the jury during the first trial because that was where they sent the worst of the worst. At that time there was no such thing as an innocent person at Guantanamo Bay.

There were a lot of nuances to my statements, but the interpretation came from the government. The side bars showed what we always suspected but were denied the means to prove. Back then, we wanted access to the witnesses so we knew what they had to say. Now we wanted the statements they had made sixteen years ago, and we were filing pretrial motions to gain access to this material in 2019.

God only knows what the prisoners in Guantanamo Bay were put through to squeeze out factual and fictional accounts in that hopeless, horrific situation. The US government made the world believe that we were all villains with superpowers, but we had our physical and psychological limits. The government had pushed many to the point where it was more about vindictively torturing and oppressing rather than gathering intelligence. I knew a brother in ADX who was driven to confess that he was behind the Oklahoma City bombing before Timothy McVeigh was caught. Things like this were a common occurrence.

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We filed the motion, but the government had other plans. The government's response was that they would need to review material that was currently being kept at a Sensitive Compartmentalized Information Facility, which was in another state where they could only see the material but not take it out with them. So how much time did they need for this review? In May they sent a letter to the judge saying:

> The government respectfully writes to request an adjournment of trial in the above captioned matter, which is currently scheduled to begin August 5, 2019. ...
>
> [I]n order to meet its disclosure obligations … the government must undertake a review of an extraordinarily large quantity of classified documents …
>
> The government intends to devote substantial resources, in terms of both time and personnel, to review the described above. The government expects, nevertheless, that the review and likely subsequent litigation will take a lengthy period of time … Accordingly, the government respectfully requests an adjournment of approximately one year from the currently scheduled trial date …
>
> The exclusion of time will also allow the parties to engage in discussions regarding a potential pretrial disposition of this case.

They were asking to postpone until August of 2020, adding that another year in jail would make me more willing to plead guilty. I went numb when I read the letter. Ramzi and I suggested to the judge that we would be willing to delay until December 2, 2019, at the very latest, in order to protect my constitutional right to a speedy trial:

> If he is granted pretrial release pursuant to his November 9, 2018 motion … he would be amenable to the full extent of the adjournment the government requests. Otherwise, Mr. Paracha would be compelled to choose between … right to a speedy trial … and … right to due process …
>
> The conflict between the two sets of right is certainly not Mr. Paracha's fault. The court granted Mr. Paracha's motion for a new trial … on July 3, 2018 … It should have undertaken its review of the classified documents referenced in its letter then …
>
> Instead either the government should devote the additional resources necessary to complete its review and fulfill its constitutional and statutory obligations in time for a December 2, 2019 trial, or this court should grant Mr. Paracha pretrial release if it is inclined to give the government the adjournment it seeks.

In personal discussions my lawyers asked the prosecutors why they hadn't reviewed the relevant material sooner. Their response was that they hadn't expected the case to go back to trial. My lawyers didn't believe them, but I disagreed. It was a poor excuse, but I appreciated some honesty for once. They didn't expect it because these kinds of cases never go back to trial. This was all new to them.

The judge called a hearing on this issue and both sides pretty much repeated everything they said in the letters. The government asked for a twelve-month delay. We only agreed to four months. The judge split the difference and postponed the trial for eight months and set a date for March 23, 2020. But Ramzi showed some quick thinking and requested an interim hearing to check on the government's progress. The judge liked the suggestion, and we were supposed to come back in two months.

My lawyers also arranged for a reverse proffer: a meeting with the prosecution team in which we don't have to say a word. The government would put all their cards on the table so I would know how strong their case was. Of course, the case had already been presented before, but none of my current lawyers were present during the first trial and it would give us an

opportunity to find out if they were planning to present the same case or make some changes to it the second time around. The government had an opportunity to show me directly why winning a trial was impossible and pleading guilty was the wise option.

The day came when I was face to face with the same prosecutor who I had proffers with in 2003, only now the roles were reversed. He also sat first chair on the prosecution side during the trial. He was grayer and heavier, a reminder of the lifetime that was lost since we last met like this.

Starting every point with “You know” and “You know better than anyone else,” he summarized the same case that was made during the trial in 2005. I was able to control my impulse to defend myself as he showed me the different exhibits and arguments that were presented to the jury. It was a lot less detailed than I expected and his presentation was over in around thirty minutes or less.

Then he confessed that he didn’t know why I was still in jail nearly a year after the verdict’s reversal. The plea offer was given almost immediately. Why on earth had I not taken it and gone home already? He said that even though he didn’t consider me to be innocent, he still felt that I had been in prison far longer than I deserved. But what was done was done. I simply thanked him for asking the court to return a $500 assessment fee that was part of my sentence. Now that the verdict was voided so was the assessment fee, and I was due a refund. Everyone said their goodbyes and we went our separate ways.

Back at MDC, the unit was becoming an increasingly dangerous environment, with violent incidents becoming more and more frequent. The shot caller for one gang was making $1,000 a week on a gambling table that he was running in front of my cell and he had a drug supply besides that. I was mostly reciting and reading in my cell and I would overhear these guys all the time.

One day I caught some of them staring at me through my door window while discussing that I had been to ADX. “Man, he ain’t been to ADX!” Later this young kid asked me where I came from. When I told him Terre Haute, Indiana, he seemed disappointed, so I asked him what was going on.

He explained that some MCC guys were claiming that I was from ADX. I told him that was also true. People were intimidated by ADX's reputation.

Even though I was not their target, the increasingly hostile environment was a problem. There were a few guys from the Crips. Their shot caller was a drug addict and one day he robbed a child molester. Such guys had no protection in a regular prison so I wasn't so concerned at that stage. But then he robbed a snitch a few days later. I was worried that his escalation was more about his addiction than any principles.

A few days after that I was looking for the guard to get me out of the unit for a legal visit when I saw the same shot caller robbing someone who was dealing drugs. The guy had a large stash and the Crip was trying to snatch the whole thing from his cell. There was a struggle inside the cell that was heard throughout the unit. I was tense because the guard left the unit unsupervised, and if he came back right now he would hear all the ruckus and shut the place down. I would lose my visit and people might ask why I was standing there in the first place.

It was a very tense 10–15 minutes when I was sure the place was going to be locked down. A team would rush in with tear gas and the whole unit would be turned upside down because drugs were involved. But the cameras didn't catch anything, and by the time the guard came back from the bathroom it was already over. When I was with my lawyer I didn't even mention that I had just seen a drug robbery.

Then the Crip robbed someone who was just weak. There was nothing else. This was very troubling. Robbing a child molester or snitch was one thing, but what he did after that violated the convict code and would have been stopped by his own people in a regular prison before a gang war broke out. Here none of the other gangs, such as the BLOODs or MS-13, seemed to care and everyone else was feeling vulnerable. I needed safety for my community and arranged for a Muslim who was also a BLOOD to warn this guy to stay away from us.

It worked, but almost immediately I was moved to another unit. Someone in MDC had dropped a kite on me for that. I made a power move, and power moves attract attention. This time they moved me in with a

Hindu named Bobby from Guyana. They kept putting me with non-Muslims in their fifties. They seemed to have understood me well because I got along better with the older, more mature guys. This poor guy was just trying to fight deportation based on an old conviction. I asked if there were any Muslims in the unit and found someone I knew from MCC. He was a former PhD student with a white-collar crime named Irfan Amanat. Irfan and Bobby really helped me get settled when I was again starting in a new place.

As always, this unit had its own cast of colorful characters. A couple of doors down was a guy named Joseph Biggs who was facing the death penalty related to a quadruple homicide. He was convinced that he would be home by next year, but the guys used to crack jokes about how he could possibly defend himself after he buried four dead Mexicans in his co-defendant's backyard. Another person I started spending time with was Roger Thomas Clark, who helped Ross Ulbricht create the illicit Silk Road black market online.

There was also a harmless lawyer named Richard on some white-collar crime case. He was harmless until he walked past someone, then they would wonder if a garbage truck had driven by. In the entire time that he'd been there, no one had ever seen Richard take a shower, and standing close to him could make anyone nauseous. His friends tried all types of subtle and not so subtle suggestions, but he simply refused.

I heard from my family that my name was in the news for an incident that had nothing to do with me. Some wealthy guy named Jeffrey Epstein, with connections to some of the most powerful people in the world, had been arrested for sex trafficking and was incarcerated in MCC, New York, when he committed suicide under mysterious circumstances. The media wanted to know more about MCC, so they found my essay about my time in solitary confinement when I was there the first time around.

* * *

It was two months since the new trial date had been set and we were due for a status conference updating the court on what documents from the classified materials the government had reviewed or shared with us. They had shared nothing. In fact, they hadn't reviewed a single document themselves in the last two months. The only thing that changed was adding two new lawyers to the prosecution team. One of them was a seasoned veteran with decades of experience, with possibly one of the most experienced and intimidating names among terrorism prosecutors.

On the day of the status conference, I saw the two new faces but not the two old faces I had been used to. And I wasn't the only one who noticed this. The judge asked where they were. My trial prosecutor's presence was temporary because he worked for the appellate court now and was back at his regular assignment. As for the second one, she had another court appearance so she couldn't make it. Already the hearing had started off on the wrong foot.

Then the judge asked about the progress, and these two new faces said that there was none to report so far but they would get right to it. I could see from the expression on the judge's face that he was taking this personally. He felt disrespected that the two people who were so far assigned to the case hadn't done any work on it for two months and then didn't even bother to show up to the hearing. This might also put pressure on the trial date, but he made it clear that he wasn't going to allow any further delays.

So, he ordered that:

> *To ensure that a substantial percentage of discovery material is turned over to the defense prior to November 22, 2019, [giving us time to go through discovery before we could file our own pretrial motions], the government is directed to submit a status report to the court in writing, with a copy to the defense, on or about the first of each month, the tenth of each month, and the twentieth of each month with the following information (1) what has happened in terms of production since the last status report (2) how many people are working on reviewing the documents (3) how many documents have been turned over to the defense*

to date (4) how many documents have been turned over to the defense since the last report (5) and what the government's projection is as to the future production dates and materials.

Every level of detail that he ordered was a message of how angry he was and how seriously he wanted them to take him. They had a lot of work to do. But they didn't seem to get the message, and were sending updates with no progress to report:

> [T]he government must undertake a review of an extraordinarily large quantity of classified documents that do not belong to the Department of Justice and that may be reviewed only at an out-of-state location … The government expects that a rotating team of approximately eight attorneys, including five from this office and three from the Department of Justice's National Security Division, will participate in the review in the weeks to come … Although the government has not received a final tally of the full universe of Classified Documents, the government currently estimates a total of approximately 14,000 documents. ...
>
> To date, none of the Classified Documents have been turned over to the defense … implicate important national security entities.

In another update:

> [T]he government has produced to the defense none of the Classified Documents. The Classified Documents implicate important national security equities and belong to other agencies … nor does the government expect to have such a subset with the next several weeks.

In another update:

> [N]ot yet in a position to produce to the defense … nor does the government expect to have such a subset within the next few weeks … implicate important national security equities.

In another update:

> The government has now obtained assistance from its law enforcement partners … will review the Classified Documents for four days per week for a period of approximately four months.

In another update:

> [A]pproximately 6,000 additional documents (in addition to the 14,000 documents it previously identified and reported to the court) that must be reviewed for potentially discoverable materials. The government expects that number will continue to grow … taking AUSAs [assistant US attorneys] and agents away from their obligations in other investigations and cases, a larger review team will not necessarily shorten the review process and CIPA [California Invasion of Privacy Act] litigation.

Based on past experiences it seemed like a hopeless situation, but the lawyers explained to me that it was a clear case of stonewalling and feet dragging. They expected the judge to see right through the attempts to hide behind excuses of national security. Any claims to be working vigorously to comply with discovery obligations would not be believable when not a single piece of paper had been turned over, nor was expected to be turned over for several weeks, if then.

This was not the first time the government had gone through so many documents before a trial and it was normal for the prosecution to comply with such deadlines. In a normal trial the government would start work on discovery material before an indictment, and all this was telling the judge that the trial couldn't be started on time. So he summoned them to court on October 18, 2019:

> *Judge: [T]he main concern is to let the government know about the extreme concern about the slow pace of the proceedings here, so let me go back and just set the stage.*

In July of 2018, I granted the motion for a new trial. There was a delay. Perhaps right after that I shouldn't have let it go, but there was an appeal by the government and then four months later it withdrew the appeal. At that point I set the trial for August of this year. This was in January of 2019; I set it for August. In May the government filed a letter, ECF-147, saying it only recently became aware of an extraordinarily large quantity of classified documents.

Now I don't know why from July 2018 until May 2019 it took the government to become aware of the classified documents it needed to review, but I'm not really interested in going back. I'm just setting the stage for what's been happening to the time it's moving. Obviously at that point the trial couldn't go forward in August of this year, so in June I granted an adjournment until March 23, 2020. I think the main message today is I am going to try this case on March 23, 2020. Everyone has to be aware of that, and I expect the government and the defense to be in a position to try it. I'm going to try it, period ...

The projections, even if you put on fifteen reviewers and even if the number of documents—that is [redacted] doesn't change, you're not going to complete the review until … November 14, one week before motions are due. You can't do that. Simply can't do that. Again, no documents have been turned over except, I think, the exhibits in the original trial. That's—what, fifteen, eighteen years ago …

All that takes time. At the end of that they're turned over. And then the defense has its chance, and the defense presumably, because Mr. Dratel and Mr. Kassem have indicated that there will likely be motions, and this is a question that I don't expect from you, how can you try this case in March with that schedule? There's only one way that I know of. You're going to have to massively increase the lawyers who are working on this. I don't care much about your problems in that regard. You're just going to have to do it, and you're going to have to go through that review, not only review on an expedited basis, but your discussions with the agencies, and you're going to have to come to me if there are any issues and to the extent you can work with the defense, although you can't very

well do it if the issue is you don't want them to see it, but to the extent you can, work with them.

That's my message. And I asked Mr. Berman [Greg Berman, the US Attorney, the head of the Southern District of New York] to come, and I realize, sir, there's a lot you have to do these days, but I wanted you to hear it. None of this is in the slightest implying that the assistant US attorneys haven't been doing their jobs. On a personal level, from my standpoint, its just got to be different, because I'm trying this case on March 23, 2020. Message received, sir?

Berman: Understood. Message received. ...

Judge: Separate question. I'm not going to get into the details, I just want to know the status of any attempts to resolve this consensually.

Berman: Your honor, we have been beyond flexible in an attempt to resolve this ... I'ye authorized my office to be extremely flexible. ...

Judge: Have discussions … Thank you. The 31st at 10 am … Mark your calendars for March.

After the conference the government met with Ramzi and asked him what conversations took place with the prosecutors who were on the case before. Ramzi reiterated that two offers had been made to the government, but both were dismissed by their colleagues. Their response was that just because other people had rejected these offers earlier didn't mean that it couldn't be considered by those who were now on the case.

So he repeated our offer that the government had to drop all the charges and that to help the government save face I was willing to give up my green card and leave the country. The other option was mentioned in our first response to the delay. Since we needed this material, and it wouldn't be ready by March, we could drop our objection to the delay if they dropped their objection to the bail application. Unlike the prosecution's initial response, this one was not as dismissive, and they said they would discuss it with their higher-ups and get back to us.

On October 31, 2019, they had the next hearing. I was not permitted to be present during this one just like the previous hearing:

Judge: Alright. Once again I find myself in the position I was in last time. That is, normally I like to hear from the parties first, but I am going to give my reaction first this time. This really continues to be unacceptable.

First of all, the October 30 letter was filed at 10:30 last night. That really doesn't do much for me. ...

Really essentially nothing has happened. On October 21, the last one, we already went through this, 6,000 more documents. You are telling me that, although I don't think it was in the one filed last night, you are pushing back on the fact that I want more people reviewing it.

You are saying having more people review won't speed things up, because if only a few people are looking at it they will know whether or not they've come across this document before and that will speed things up, whereas if it's more diffuse, with more people reviewing, they don't know if they have already seen this document because presumably you may be seeing two or more copies of the same document coming from different parts of the intelligence community.

That makes no sense at all. Obviously, it is as simple as possible to have a computer list of the documents that have been reviewed, a central list, so if somebody sees a document, they will know instantly whether or not it's been reviewed before. I want more people on this, not fewer people. ...

The most recent submission says, despite best efforts the government does not believe that the review of the materials identified to date by that member of the intelligence community can be completed by the trial date.

Now, that's disheartening and impermissible in the extreme. If I understand this softly worded phrase here in the letter, I think you're telling me that at this rate, when we do the numbers—and I did have my clerk do the numbers for documents reviewed—that the review of the documents itself, let alone all the steps that have to take place after that, isn't going to be completed by March.

So, what can I tell you except that that is totally unacceptable. If you need orders from this court to the various owners of these documents, I

certainly am prepared to issue them. Whether or not you are inviting that, it ultimately may come to that.

The judge was finally at the end of his tether with the prosecution. He was making it completely plain that they had no latitude to keep on delaying the release of documents to the defense. They were hiding behind the notion of national security agencies requiring a process. Ultimately the judge was uninterested in their excuses; if only he had paid as much interest at the beginning of the War on Terror, maybe none of this would've happened. The prosecution attempted to show in more detail how the declassification process took place, but the judge saw through it all. It became the perfect moment for Ramzi to bring up the issue of bail, especially considering the judge's ire with the prosecution that was evident on October 31, 2019:

Ramzi: I would respectfully request that any ex parte portions be kept to a minimum because we have been kept in the dark pretty much. Judge: Granted. Any ex parte portions will be kept to a minimum …

I just want the government to understand that the court is not duplicitous. At some point I will start issuing orders. ...

Ramzi: [A]s the court is better aware than most people in this room, Mr. Paracha has been in the custody of the US government since 2003.

As the court pointed out last time we were here, he is a presumptively innocent man who has been in the custody of the US government since 2003. Given the way this is going and the pace at which we are proceeding, the defense may have to renew its motion for bail.

Judge: I understand that.

Ramzi: Thank you, your honor. Those are the only points I needed to make.

Judge: Government, anything?

Prosecution: Your honor, as to the latter point, we have had the discussion of bail. Your honor has found the defendant presents a danger to the community. Our position on that certainly hasn't changed …

Judge: The law, I think … that the length of time in custody is not relevant to bail determination.
Prosecution: Yes, your honor.
Judge: That's my recollection … at the same time what Mr. Kassem says is true. He's presumptively innocent … He is presumptively innocent, and he's been incarcerated for a long time.

I was unable to attend any of these hearings, but I had some idea that the judge wasn't happy with the pace of things. After all this pressure, something had to give, but it didn't mean that my situation was any easier. The government was just not willing to give any ground, so the most we could dare to expect from any of this was that either they dropped their objection to bail or the judge granted bail so that the trial date could be delayed again. But that had nothing to do with the fact that I was headed straight for a trial that everyone believed I was going to lose. And they never let me forget that.

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Around the beginning of October 2019, Ramzi informed me that they had arranged a video conference call between me and my father. I wasn't able to get permission to write letters since I left Indiana, but after fifteen months of no communication, I had an opportunity that I hadn't had in over sixteen years. I would be able to see him on a screen, speak to him and hear his voice.

I found out forty-eight hours before the call, because they didn't want to get my hopes up until they were sure. If I had known a week in advance, I would have had seven sleepless nights and restless days. This way I only suffered two. Speaking to him was a distant faded memory from my past and any possibility of it in the future was beyond my imagination.

Some investigators from the prosecutor's office took me straight to the prosecutor's office building. I sat at one end of a long conference table with a big TV screen on the other end. My lawyers were sitting on my right, one of my father's lawyers sat on my left, and some of the government's people were around to monitor the call.

After some waiting, I could see him on the screen. A number of strong feelings ran through me. We identify ourselves partly through the people who are important in our lives. I had been speaking to my mother on the phone but hadn't seen anyone in my immediate family since I left for work in February of 2003. This was the first time I had seen any of them. And he looked frail.

When I last saw him in Pakistan, he had more pepper than salt in his hair and beard. Now it was all snowy white. Even the lines of age, far away from the screen, were clear as day. We had exchanged a couple of photos with our letters in Indiana, but can anything really prepare a person to see their parent after waiting for sixteen years? I could only describe it as

beautiful and painful at the same time. I was told to expect around forty-five minutes to an hour. It was also extremely awkward to go through such an emotional and intimate experience in such an impersonal setting, with lawyers all around and me having to yell out how I felt because he couldn't hear me.

It was the first video conference call between prisoners in the US and Guantanamo Bay, but we were not in the least concerned about making history. For us it was just about being able to finally see one another and reassuring myself in some small way that the beautiful past that I remembered was something real and not just a figment of my imagination. When every part of your history has been snatched away for so long, it seems more like a dream than reality. We asked about each other and we talked about the family. But there was something else that he had come prepared to discuss, which he brought up as soon as he could.

As I mentioned earlier, before leaving Indiana I got a visit from some of my cousins, and I told them that I had an offer for time served. I should have kept my big mouth shut, because despite asking them to keep it to themselves that didn't happen at all. If they didn't call everyone as soon as they got in the car, they told them as soon as they got back home.

News of the plea offer spread throughout the large Paracha family and became the topic of conversation at family gatherings. They were asking, why is this idiot being so stubborn and refusing to go home? The early excitement was being replaced with the anxiety that it might all be for nothing if I was convicted again. While I had hoped they would not share the news beyond the visiting room at Terre Haute, Indiana, they rushed it even to Guantanamo Bay, Cuba. Asian families.

So, my father was caught between his confidence in me and his knowledge of the system. My relatives who were visiting me in Brooklyn were given the task of persuading me to take the deal and were questioned from time to time as to why they hadn't convinced me yet. It is hard to blame anyone. I was up against the full machinery of the most powerful government in the world.

And now my father and I finally had a chance to speak face to face and he wanted to discuss something in person: *nolo contendere*—a Latin term meaning I do not wish to contest. Legally it was a plea by which a defendant in a criminal prosecution accepts conviction but does not plead or admit guilt. It is a way of saying that I am not guilty but based on the overwhelming evidence against me I don't want to contest the charges against me. If I wasn't willing to plead guilty maybe I could plead *nolo contendere*.

He wanted me to take this opportunity to go home and help the family. Even this was a strong argument, because I was raised with the traditional expectations that the family has of their eldest son. He came well prepared for a detailed discussion, and he wanted an answer. I dodged the issue and started speaking about other things until our time ran out.

Seeing him after so many years, the last thing I wanted to do was deny a request that meant so much to him. With a heavy heart I asked my lawyer to communicate through my father's counsel that I would not be pleading *nolo contendere*. I knew within myself what I had to do, but that didn't make it any easier to tell those who shared the consequences of my decisions. The government was aware that my father was trying to convince me not to go to trial, and they probably arranged the call with the same hope in mind.

Some of my visits were also turning into heated discussions. I was told I was being stubborn like Adnan Syed, as if I knew who that was. I asked around and found out that he was convicted of first-degree murder of his girlfriend in 1999 until the case was recently reopened. He refused any offers to plead guilty to lesser charges in exchange for time served, but was reconvicted and lost his opportunity to go home. And I was about to do the same thing to myself.

Some of my relatives were wondering if I was doing all this because I was worried about finances and offered to help me if I came out. I was very worried about finances and was touched by their offer, but that was not the reason. Some of them asked me if this was about pride—I asked them what pride is left after seventeen years of humiliation behind bars?

Not only had the news reached Cuba but it also reached Pakistan right away. I was a stuttering mess when my mother asked me if I had an offer for time served, but she bailed me out when she said that if I was ever going to plead guilty, I would have done so in the beginning, so she respected that I was still standing firm. However, I still had to contend with the rest of the world. My father had seen the cruelty of this government and had consulted his lawyers about my chances.

As more and more relatives found out about my hard-headedness the pressure kept mounting, while everyone on my legal team was already convinced that I had nothing to gain and everything to lose if I went to trial. To complicate things further, the *New York Times* ran an article claiming that Majid Khan in Guantanamo Bay was expected to be a witness against me in the upcoming trial. The story was obviously fed by the government to send a message that they were preparing a stronger case in the second trial. If it wasn't a bluff, I intended to use it in my favor because of how I wanted to approach the case this time anyway.

There was one memorable visit in which all my lawyers showed up with some reinforcements, and they applied all the pressure that they could to change my mind. I told them that in all the years I had waited for the judge's decision, I not only had faith that this verdict was going to be reversed one day, I also knew that when it was reversed there would be renewed pressure to plead guilty again. I knew we would end up here again. But I wasn't going to do it. The Department of Justice had become a juggernaut and people considered it foolish to stand up to such a formidable institution.

I told them that if I hit my head against a wall, obviously no one would blame the wall, everyone would hold me responsible. People thought the same about my situation, but the Department of Justice was not a wall. Behind the image of invincibility and infallibility an institution is only a group of people. People who can be swept away by their emotions and biases, people who are capable of grave injustice and cruelty, are the same people who have human weaknesses and limitations.

Joshua had known me the longest, since 2006. I remember what I told him when he tried to make his own argument that it's not too late for me. In a low whisper I told him what I believed deep inside, "It doesn't matter anymore." I was trying to do what I thought was right, but I couldn't see any light at the end of this tunnel when I looked at my case. My life was just too complicated now. Too many miracles were needed for it to become bearable again. Life had changed so much that I would have nightmares while I was sleeping and when I would wake up from them, I would open my eyes to a reality that was worse than the nightmare itself.

As the trial date approached, I was advised to add more people with trial experience to my defense team. We started going through some possibilities and narrowed the list down to a couple of names. I was supposed to meet one of them soon. Meanwhile, Ramzi had kept his word to visit me every other week, but he had to fly to Guantanamo Bay for another case and told me that he would see me a week late. But even after the third week he didn't drop by. This was not like him.

Meanwhile, I couldn't believe my eyes when I saw Richard, the lawyer who had refused to bathe, walking towards the shower stalls with a towel and what may very well have been a bar of soap. I guess now anything was possible.

I knew that Ramzi had a reason for not coming to see me, but I was starting to get anxious by mid-November, since I hadn't met any of the possible lawyers yet and hadn't heard any updates on my case from my own lawyers. Did the prosecution make any progress on the classified documents? Did the judge have anything new to say on the lack of progress?

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When you don’t know what is going on, all types of negative thoughts start swirling around in your anxious head, and I was trying to fight off those demons. On Friday afternoon I told myself hopefully that I’d find something out by Monday. If lawyers rarely visit their clients on Saturdays, it is even rarer to get a legal visit on a Sunday—and unheard of to get a visit on a lazy Sunday morning. So when they told me to get dressed for a legal visit at 9.00, I appreciated that Ramzi was trying to visit as soon as he could. He knew how anxious I must’ve been.

I grabbed my legal papers to discuss some things I had in mind and brought some questions in case the new lawyer was with him. Downstairs the visiting area was totally empty and I was told to go to the big room at the far end. As I got closer, I could see that there were a few people. How many of the new lawyers did they need to bring?

When I entered the conference room, I saw only familiar faces. All the lawyers—even Dr. K. I just needed to know if their expressions meant that they were bearers of bad news, but I could feel that this wasn’t the case.

Ramzi set the stage: I was aware that the government was under growing pressure and wanted to find a way out of their predicament. We had proposed two suggestions: drop the case or drop the objection to the bail hearing in exchange for a delay in the trial date. They were supposed to speak with their higher-ups and get back to us. They went back and forth, and he was here to tell me that they had accepted our terms. So, did I get bail? What else could it be?

The government had agreed to drop the charges, legally known as a *nolle prosequi*, a formal notice to the judge to dismiss all charges in exchange for my offer to give up my green card and voluntarily leave the country. At first, I wasn’t sure what he meant but then he simplified it,

“Uzair, you won.” But that couldn’t possibly be true. After all that posturing, they could still try this case if they agreed to bail. Considering their obsession with getting a conviction one way or another, this seemed very suspicious. Was Ramzi overselling what really happened?

I didn’t like it. I asked different questions about the deal and still didn’t feel comfortable with what I was hearing. So he reiterated that the government had agreed to all our terms and asked me if I was refusing that. I said I wasn’t. I wanted to know what the catch was. There had to be a footnote, exception or caveat. After putting up a fight for almost seventeen years, why would they accept defeat so abruptly?

Finally I said, “The shark is dead.” Dr. K always picked up on such things and needed to know what I meant. I explained that I once saw an interview of Roy Scheider, who starred in the 1990s *Jaws* movies. He described the ending of the movie in which, after going through a long, vicious battle, he finally managed to kill the shark. His first expression was relief that the shark was dead. But his second expression was to show disappointment that the shark was no more. It couldn’t be so abrupt, could it?

That’s when it started to sink in. I was about to say something, but if I let a single word out of my lips I was going to break down. So I stayed silent. I knew all eyes were on me. I willed it to pass quickly but it wouldn’t. The shark was dead after it had taken a big part of me with it. I was silent for what seemed like a very long time before that moment of vulnerability passed.

In the early years, I used to psychologically distance myself from the other Muslims who were on cases like mine. I remember telling one of them back then that none of this was my world. I was a college kid who came from a completely different life. This was before I realized how flimsy their own cases were and how they were as human as I was.

But when I was sitting with Dr. K and the lawyers, I shared with them some stories about how I had tried to help the brothers whenever they had a problem. As much as my world had changed since 2003, this had become my world. Where once I was psychologically trying to distance myself from

the Muslims who were on terrorism charges like mine, I was now feeling anxious about leaving any of them behind.

Dr. K's response was that it was time to move on. She was right. I thought about another family who may have forgotten what it once meant to have me around, but they were more deserving of whatever I could offer to help make their lives better in any way that I could. And it seemed that I would soon have to face the people that I may have wronged the most: my family, who suffered because of my absence and the fallout from my case.

My lawyers were anxious about making sure this deal went through without any problems. Joshua explained that even in a non-terrorism case, this is so unheard of that people would ask, "How the hell did this happen?!" In a terrorism case it would be even louder, "HOW THE HELL DID THIS HAPPEN?!" The US government would try to stop it, so my lawyers would not feel at ease until I was in Pakistan or at least on a plane over the Atlantic.

I gave them two responses. I told them that it didn't matter if the deal didn't go through. But I also told them I had a feeling this was going to happen and that nothing was going to prevent it. But their job was to worry, and as they were going to do so anyway my little speech was pointless. The government was going to come up with an agreement and after we approved it, we would go to court.

I went back upstairs in a daze after the news. I looked around at the unit and saw that everything seemed exactly as I left it. The world was the same, but my world had completely changed. My lawyers warned me not to tell anyone, but I insisted that my mother had to know. My parents had suffered through too much grief since the day of my arrest, and I wanted to relieve their pain as soon as possible. I called her as soon as I could, and she was obviously very emotional. I was just as desperate to let my father know, but there was no way to tell him without going through people who could try to harm the situation.

I started going through some of my things and came across some letters that my family had sent in early July of 2003. My late grandmother, who died soon after my trial, wrote:

Uzi dear,

How are you? You are always in our thoughts and we are always asking God to keep you well and strong. Eat well and keep up your exercises so that you stay firm to answer to what they have labelled against you. A long weekend at your end must be stalling things and delaying every proceeding. I wish they would hurry up with things. You better pester your lawyer for expediting things. Everything here is the same. Only that we are more into prayers and reading the Koran and asking God to have pity on us all and grant us our wish. He will surely listen to us but only in His own time. You continue patiently with your meditation and results will be seen soon. We all love you very much and are with you all the time.

All our love and blessings to you,

Nanna.

My mother wrote:

Dearest Uzi Jan,

Today the weather here is very cool and windy. Guess what? We had our first Monsoon showers today! But for this plus, we have a negative also —the power breakdowns.

How are you doing? I hope you are managing well. Nanna is feeling much better now. She has started taking a few steps with the help of her walker. She sits with us in the terrace for about 30–45 minutes. It is still a little tiring for her because she hasn't used her muscles for the last almost one year. Abbu sends his fondest love and wishes. His prayers are always with you.

I am also doing well as can be expected. I am counting the days when we can be together again. I love you and wish you all the best. May God grant you all your wishes and keep you steadfast and upright.

My sister wrote:

Hey Ozer!

I sure have fulfilled my promise that I would get Ammi [mom] to write as soon as she felt better. She is far better than before. ... You stay in your good spirits and stay confident. When we were down you uplifted our spirits and now you're down, don't force me to bring in [our baby brother's] corny jokes (desperate measures!!!) to bring that smile on your face!! Try to rest well ... You must stay confident and strong no matter what. It's okay to break down sometimes and have moments of weakness. You are a human after all. But don't feel that that means the end of your life and just succumb to anything. We're with you forever and always. You are in our thoughts and prayers all the time ...

Oh well. I'd better head for bed. It's getting kinda late. I'll say a nice little prayer for you …

My mother again:

Yesterday I had another migraine attack. It is extremely hot again ...

Life is going on but it is no fun without you, we are waiting for the day when you come and we feel completed again, you are a part of me and if you are upset or hurting, so am I. May God give you strength, courage and confidence. May He bless you with all His rewards. May He shower you with all His mercy and love. Don't let any setback break you away from Him. He has His own way of handling things, and we have to accept it that way. Just keep on holding, as we are, Insha Allah things will be better ... days are passing by but we are ever closer to getting together again, so don't worry, everything will be better than before. I love you and miss you terribly,

Ammi.

My sister again:

Hey Oz!

> Life at home as you've already noticed hasn't changed ... You must take care and be strong. We are always with you. We love you and are forever behind you in everything. Life's tough without you but I guess it's only temporary so I can learn to be patient and bear with it, right? You'd better hurry back, I really want to return the [house security] alarm responsibility back on you.
>
> Missing you like hell more than you can imagine.
>
> Love.

This was probably the first set of letters I got after I decided not to take the eight-year plea offer. Everything was still new, and they thought that this was all some misunderstanding that was taking too long to get cleared up. There was a certain naive sense of hope in those letters—we had no idea that my father was about to be renditioned and would end up in Guantanamo Bay. We never imagined that I would be charged with an indictment carrying a seventy-five year maximum sentence; that the world would vilify us in prison and ostracize our family at home, defrauding and taking advantage of our family with the help of the US government and consent of our own people; that I would be convicted on all counts and sentenced to thirty years and sent to the most notorious prisons in the federal penal system; that I would spend my twenties and thirties behind bars before the hopes expressed in those letters are realized.

Those letters remind me of where my world was before it stood still, when my family still carried a sense of hope that the wear and tear of the years in between would completely erode. I thought of the words of Viktor Frankl, the psychiatrist and Holocaust survivor, who mentioned how he felt the day they walked out of prison:

> "Freedom"—we repeated to ourselves, and yet we could not grasp it. We had said this word so often during all the years we dreamed about it, that it had lost its meaning.
>
> In the evening when we all met again in our hut, one said secretly to the other, "Tell me, were you pleased today?"

> And the other replied, feeling ashamed, as he did not know that we all felt similarly, “Truthfully, no!” We had literally lost the ability to feel pleased and had to relearn it slowly.

Until things were official, we were still headed for a trial and the government was still supposed to submit status reports. In the one due in early December they updated the court on the number of attorneys and FBI agents they had dedicated to the classified documents, how many hours they worked and all the other details they had to share. Then came the part they were dying to mention:

> In addition, the parties have reached an agreement in principle regarding the potential disposition of the case. The parties are currently negotiating the details of that disposition, and expect to update the Court in short order regarding the parties’ proposed next steps ... [there are] sensitivities involved in those discussions, [the] public disclosure of which could interfere with the ongoing negotiations and the potential disposition of the case.

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We went back and forth until I signed an agreement. Meanwhile my passport had expired a long time ago and I was supposed to get a visit from the Pakistani consulate to help arrange for my return. Their office was only told that I was a Pakistani citizen who wanted to return to my country. With no further explanation they decided to Google my name—after they had read up on me the consular official admitted that he didn't want to meet me at first.

I told him I needed a passport, but things were now digitized and I wasn't in their system. It would take some time while he checked with his higher-ups. By the end of the conversation he was comfortable and friendly and asked my lawyers if he could give me a goodbye hug.

I had a court hearing before Christmas, and I'm sure the government was relieved that there wouldn't be any scolding this time:

> *Prosecution: As laid out in the government's letter, the defendant has now executed an agreement with the government as well as an affidavit.*
>
> *The defendant has agreed to abandon his status as a lawful permanent resident in the United States and to return to Pakistan ... We are working as expeditiously as possible to obtain a travel document for the defendant, at which point we expect to secure a flight for the defendant to return to Pakistan ... [O]nce the defendant has departed, the government intends to file the proposed nolle prosequi that we have submitted your honour.*

The *nolle prosequi* was written using the language of a very sore loser, which we brought up in court.

Ramzi: [W]e actually anticipated that this might be an issue, and we asked the government in the context of our discussions to share with us the draft nolle before it was presented to the court. Our counterparts on the government's side were not able to do that. They summarized it for us, and they assured us that there would be no editorializing, because we surfaced for them our core concern that superfluous, unnecessary language in the nolle could be misread ...

Prosecution: This nolle prosequi is an extraordinary disposition, your honour. As the court knows, it is quite unusual generally for the government to nolle a case. And this case itself has very unusual circumstances. ...

[It] has been approved by the highest levels of the Department of Justice. We do not have the authority to make any changes to that document, nor do we believe any documents are warranted ...

Judge: [It] may be being a little too particularized on it by saying that there's nothing that requires us to change the language at the request of the defendant. She's right on that. But that doesn't mean they can't change the language if it really doesn't change the substance of the nolle. Again, I don't know what we are talking about ... It is a position that what the government says are taking the extraordinary step of dropping the prosecution against this man ... It's not normally a negotiated document. ...

Prosecution: Respectfully, that document, coming from the government authored by the US attorney, is not changing, your honour. We do not have the authority to change it, and we will not change it because we believe that it accurately reflects the facts of the matter.

Judge: Yes. That may be true, but there could be other language that also accurately reflects the truth of the matter. ...

Prosecution: I want to be very clear and candid with your honour that the document that we submitted is the one we are prepared to submit to dispose of this case, and there is no other document. ...

Judge: I am going to direct you, because I see no reason why it has to be, "this is it, take it or leave it," if the ends of the government can be met

with alternative language.

I am going to direct you to try to go back, the two of you, and to try to arrive at language that's acceptable. I will not accept the government's position that neither jot nor tittle can be changed because government has come up with this language.

The judge's instructions knocked the overconfidence right out of the government's tone.

US attorneys consider terrorism trials to be the most important part of their CVs, and if they cared enough to preserve their 2005 victory, they would have gladly devoted a dozen full-time agents to it overnight. Instead, it was the judge who pushed them to do so. Then, once they had my signature on the agreement, they tried to reassert some control over the case. But the judge directed them to go back and see what could be changed.

And change they did. It didn't matter to me that the attorney general himself had approved it, I just wanted it to be as short and sweet as possible instead of long-winded. After leaving the hearing, I reflected on how the entire time I'd been in the belly of the beast I'd been giving it ulcers; I was happy that was the case.

Before the next hearing the government made some of the changes and informed us there would be no further amendments to the document. We felt it wasn't enough, but the judge said that enough had been done and decided not to intervene any further with the document. However, the court was his domain, and he made sure to put some things on the record:

Judge: The nolle would end the prosecution. I granted the motion for a new trial. He is now presumed innocent ... Given the lengthy proceedings here and the fact that he has been incarcerated for over sixteen years—I believe that's the number at this point—if I sign the nolle, there are no further criminal charges against him and he has agreed to repatriation to Pakistan—I hope he can rebuild his life in Pakistan— why should there be any negative action by anyone? ...

[T]he defendant has served approximately sixteen years of a sentence already, which is a substantial time for somebody who now is presumed to be innocent based on my order granting a new trial ... Mr. Paracha, as I understand the law, is at this point innocent. He has served what anyone would consider a substantial period of time incarcerated, and it's time for him to rebuild his life. ...

And you have my statement as to what I believe your legal position is now: that in light of that opinion granting motion for a new trial, which is dated July 3, 2018, and is in the public ... in which, in light of new evidence, I found that allowing the defendant's conviction to stand would be a manifest injustice. You can use that opinion however you want, and it is in the public record.

The last paragraph of that, "Exercising the court's 'broad discretion to decide Rule 33 motions based upon its evaluation of the proof produced,' in fealty to the judicial duty independently to 'examine the entire case, take into account the facts and circumstances, and make an objective evaluation' of both the newly discovered evidence and the trial record"—I'm leaving out citations—I concluded, "that the newly discovered material evidence would yield a fundamentally different trial and likely create a reasonable doubt favoring Paracha's theory of the case over the government's. In such circumstances," I found, "'when it appears that injustice has been done,' Rule 33 commands 'that there is a need for a new trial in the interest of justice.'" I therefore granted Paracha's motion for a new trial. ...

Mr. Paracha, you now have an opportunity to rebuild your life in Pakistan. I look forward to that, sir.

All right. Thank you. Good luck to you.

His repeated usage of the word "innocent" had very important legal significance, especially because it came from the judge himself. When the lawyers first told me about the *nolle* I was disappointed that I wouldn't have the chance to win my case in a jury trial. But even if by some miracle we convinced a New York jury, in a courtroom that is literally walking distance

from the World Trade Center, the most that any defendant can hope for is a verdict of “not guilty.” That’s exactly what a jury says when they decide in someone’s favor; they can’t say any more. A not guilty verdict does not mean that the defendant is innocent but that the prosecution was not able to meet its burden of proving guilt.

“Innocent,” on the other hand, would restore my legal presumption of innocence to what it was the day before I was arrested. When defendants serve their time and finish their sentence it is said that they should be given a chance to rebuild their lives because they have paid their debt to society. But I had served nearly seventeen years behind bars.

Calculating time for good behavior, I had served the equivalent of a twenty-year sentence. Yet the judge accepted that I had never owed a debt to society in the first place.

This was not supposed to be made public until I left, and I was expected to keep everything bottled up inside until then. The lawyers asked me not to share it even with my relatives during phone calls and visits. I was still getting criticism for heading into a trial that I couldn’t win, and they still thought I was being a stubborn idiot. Other than Dr. K, my lawyers and my mother I had no one to speak to. No one in prison, and no one among my relatives.

Things were moving slowly with the consulate. By my last hearing in early January of 2020, it had been three weeks since my passport request ran into difficulties. My relatives were also asking for updates on my case. Technically there was still a trial date, so that was my answer, but it wasn’t easy. My own family faced the worst of it, but many more lives were affected by my arrest, and I was speaking to those people on the phone and during visits.

When I was telling my aunt about the trial date, I explained that it was like the trial in 2005, and she was very disturbed by this. Unlike the anger she felt in 2005, this time she was almost pleading with me to spare her a repetition of that time. As I said, so many more lives were affected. All I could tell her was that things were going to work out, and when she said I couldn’t guarantee that, I told her that I was guaranteeing it and left it at

that. Once I had the documents from the consulate I could tell them the whole story.

The wait was difficult for another reason. Prison violence was nothing new to me. I had been deep inside it for a very long time. Near killings, legitimate murder threats, broken skulls and stabbings had become so common in my life that if there was a lockdown for a long time, I used to joke that after staying locked in our cells for so many days somebody better be dead.

The violence in Terre Haute was so bad by the time I left in July of 2018 that between then and November of the same year three people were killed. When I came to New York I managed to stay under the radar most of the time, but bloody fights were happening right in front of our eyes. After the court hearing, it was one thing to get involved in a fight or stabbing as a convicted felon in prison. It was another thing entirely to stay out of trouble so that I could go home before getting stabbed or stab someone else in a fight.

One day a familiar face from MCC arrived at the unit. He was minding his own business in his cell when two gangbangers went in to rob him. One of them was always getting high by smoking chemical paper wrapped around tea if tobacco wasn't available. As soon as they walked into his cell, he realized what was going on and ran outside, but we saw them drag him back in. After a noisy struggle that every prisoner heard, the two gangbangers walked out with the guy's new sneakers and some other things.

Then the guy himself came out. He came downstairs and said he remembered me from MCC, but I avoided him. I wondered if he was targeted because he was a snitch or a child molester. He went to ask their shot caller why he was robbed when he didn't have such a case. But the shot caller was not helpful. This incident made everyone in the unit tense, because these drug addicts were out of control and made everyone feel vulnerable.

The next day the robbers were walking around arrogantly wearing the shoes they had stolen right in front of the victim's eyes. The day after that

we heard another commotion and I saw the shoe thief bleeding and running angrily towards the guy he stole the shoes from. There was a lot of noise and the guards rushed in and put us all on lockdown. Then we heard the full story.

Walking around the unit, the thief and his friends had gotten cocky and let their guard down. They had no idea that the guy they robbed had gotten a knife. While the thief was relaxing on a chair watching TV, the guy put the thief in a headlock with one arm and cut a deep "Z" across his face with the blade in his other hand. He cut down one cheek, through the lip and down across the other cheek. Then he dropped the guy on the floor and said, "That's what happens when you fuck with a real gangster." The thief and his friends were completely shocked, and nobody moved against him.

He went upstairs, got his food and came back down to have dinner like nothing happened. The thief went to his cell to wash his face and was throwing around bloody towels when he rushed out to fight the guy and they called a lockdown. Everyone was happy about it: "The best part is, he deserved it." Convict justice. They all had respect for the shoe owner.

Another time, we had just finished our prayers at night when someone ran past us, tripping over himself and bleeding from his head. The guy who was chasing him was swinging a heavy barber's trimming machine. We went into our cells before the guards rushed in. This was apparently revenge for killing his buddy.

I almost got pulled into a few fights myself, but I was trying to think less like a convict and more like a citizen. I sought solace in the fact that even if I got killed now, I would die as a person who had established his innocence.

Days were turning into weeks and weeks were turning into months, but there was still no news. I spoke to my brother after a long time but didn't bring up the *nolle*. One day he mentioned a strange call from the Inspector General's office, during which they had said something about my repatriation. My family had been given so many false hopes that my brother only mentioned it in passing. But then I told him it was true, and that got his attention.

I explained what was going on and why I needed him to keep it quiet. He was trying to process a possibility that we couldn't grasp anymore —"and we—can be a family." A normal life was such an alien concept that he hesitated to believe it.

A few days later some people from the Pakistani government called my mother and paid her a visit. They asked her if she knew her son was coming home. To her it was the first official confirmation that it was all true. I could hear her smile on the phone. It was a nice visit. One of them was shaking his head saying, "How can they just destroy people's lives like this?!" After the visit things went quiet again.

I came down with the flu and my cellmate was telling me I might have this new virus and die a horrible death soon. Happy thoughts. By March 2020, everyone in the unit was talking about it spreading across the world. I didn't watch the news, so I was wondering why everyone was so worked up about another contagion like swine flu and H1N1. How bad could it be?

I got a visit from Naz with some worrying news. While we were trying our best to keep as quiet as possible the FBI agents at Guantanamo Bay had tried to gain some brownie points with my father and told him about my *nolle*. My lawyers were furious with the government for their verbal diarrhea and were worried about the risks, but I was delighted to find out that my father finally knew after all the anxiety I had caused him. Naz was glad that Ramzi wasn't there to see the smile on my face. My mother had informed me that the Pakistani law enforcement officials who visited her also told her that they would allow her to meet me when I landed, but then they were going to debrief me for a couple of days before letting me go. I let Naz know about this.

The consulate couldn't get me a passport and were going to give me a travel document. It wasn't going to be long now. After informing my lawyers I went back to my unit and called my aunt to remind her of my recent guarantee. I told her everything and that I would be leaving soon. When I finished my story, she immediately congratulated me and told me that she felt several years younger after hearing the good news.

I then called one of my cousins and told him who to bring for the next visit while keeping things quiet otherwise. On visiting day, I quickly explained everything and told them that I might be leaving any day now. Some of them were saying prayers of thanks. Others were in tears. Everyone was emotional.

The travel document was issued, but getting a seat on a plane was taking longer than we expected. I thought my lawyers would be back within a day or two to tell me about my flight plan, but another weekend came and went without any news. A problem between staff and inmates led to retaliation against the unit by turning the heat on too high one day, freezing the next day and suffocating the third day.

By the second week of March this coronavirus thing had everyone worried. Since the beginning of the week, I had spent every hour anticipating a visit from my lawyers about my flight plan. My relatives visited and it was full of small talk because everyone had one thing on their mind. Still no news. Another week was slipping away. On Thursday evening, someone mentioned that the governor of New York announced that this week there were hundreds of deaths from coronavirus. Next week they expected thousands. MDC was talking about restricting visits.

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On Friday, March 13, my morning was as routine as any other—I held the Friday sermon and prayer. In the afternoon, I was planning my weekend. Then the guard called my name. It had to be the legal visit I was waiting for to tell me about my itinerary. Then again it could also be the doctor visit that was scheduled for that day.

I went to see the guard and he told me to pack up all my stuff and to go downstairs to R&D. My answer was, “No. I was supposed to get a heads up from my lawyer first.” But the guard told me the instructions were clear. I had to get downstairs before they started locking down for the 4.00 pm count. I told him I didn’t expect any of this and I needed time to use the toilet and stuff.

After buying some time I went straight to the brothers and told them I was leaving and why. I also let my cellmate Bobby know. I wasn’t lying about needing to use the toilet, then I started to pack a few things. Prisoners usually leave most of their belongings for other prisoners when they are released, but I didn’t know how long I was going to be debriefed, nor did I know what I was going to do after that, so I took some personal items. I hoped the brothers understood.

I came out of my cell and the brothers were waiting outside to say goodbye. After a quick farewell I pushed my cart towards the elevator. Downstairs I saw posters about canceling visits due to the coronavirus. I would later find out that the very first case of coronavirus in the BOP was diagnosed in MDC Brooklyn early the following week—I was walking out just in time. I went to the office where two guys in suits were waiting for me—the same ones who took me for the call with my father. They told me they had been trying to get me out since morning. They presented my bail application to MDC, but MDC refused saying that I belonged to Terre

Haute and could only be released from there. The suits showed the court order and refused to leave without me while the BOP went up bureaucratic channels to get me out.

They finished up my paperwork and made me do one last strip search hoping to find God knows what that I would be sneaking out of prison. Then I walked out of MDC and the Bureau of Prisons two weeks before my seventeenth anniversary in the BOP. The equivalent of a twenty-year sentence with time off for good behavior. We drove a few blocks away and they gave me my old suitcase and some other items from 2003. Included was my wallet and an old photo of my mother and another one with the words, “Plz come back ASAP. Miss u,” written on the back. I had no time to process the emotions that I was going through. I had to go through everything quickly and meet my lawyers somewhere close by. We said some quick hellos and took some pictures. They gave me some clothes, but the new, fashionable pants were ridiculously tight, so I decided to wear my commissary sweatpants instead.

I had previously been told that an FBI agent would escort me until Pakistan, or at least a stopover, and to my lawyers’ surprise I was happy about it. Another few hours in the company of law enforcement wasn’t a big deal. In fact, if anyone at any airport bothered me, I would tell them to talk to my escort. But they were now telling me that I would be on my own and I was a little anxious about potential complications on the way back.

After saying goodbye to my lawyers, I was shackled to the floor of the FBI agent’s vehicle. Before starting our drive for the JFK airport he said, “Hey man, I don’t mean to be an asshole,” implying that he was going to be one even if he didn’t mean to, “but don’t try anything stupid. You’re about to go home. Don’t screw this up.” After everything they did to me, instead of offering an unconditional apology, these people still couldn’t help themselves.

I was waiting in line at JFK to get my boarding pass when I saw that many other flights were getting canceled because of the pandemic. People were standing around distressed that they wouldn’t be able to get home on time. I thought to myself: I know the feeling. I was given my ticket and got

a boarding pass for one of the last flights before everything was canceled. It was Qatar Airways—the same airline I arrived on seventeen years ago. What a coincidence.

Even though I just came from a strip search, they frisked me so many times you'd think MDC was selling weapons of mass destruction in their commissary. After waiting in the lounge, the agents escorted me to the door of the plane. The plane was only a third full so the crew spread everyone out, and we could recline and get comfortable.

I remember that I threw up my first meal in the BOP, but by the end of my incarceration I was gladly accepting extras when other people were too disgusted with what we were being served. There was a recent scandal about them mixing pet food into prison meals to save money. The food on the plane was my first non-prison meal in forever. The food was so unfamiliar that my system was confused, as if it was saying, "You look familiar. Have we met before?"

Some of the other passengers were trying to make conversation, "How long were you in the US?" Me, "Going back home after seventeen years." Them, "Wow! That's a long time. Where were you living?" Me, "All over the place. New York for a few years. Then Colorado for a bit. Then I was in Indiana until I moved back to New York." Them, "Where in New York?" Me, "Manhattan and Brooklyn." When I needed help to turn the in-flight entertainment system off, I thought of an answer if they asked me why I couldn't work the screen: I was living with the Amish.

When I was arrested on the material witness warrant, the media was totally silent until the government filed the complaint and used the full might of the media to smear my name and target my family, while putting an effective gag order on my lawyers through the SAMs. My lawyers were nearly silenced while the government was flooding the news with their own narrative. Even the Pakistani media joined the crusade and started accusing me of being a crook and committing fraud against the national airline of Pakistan in 1984, even though I had a solid defense: I was four years old at the time.

It is the job of journalism to be informed, and the *New York Times* may be more subtle, but I found it simply to be an extension of the government. While I was flying above the clouds, the *New York Times* published an article on my release with the misleading heading, “Once-Accused Al Qaeda Sympathizer Goes Home.”* I wasn’t wrongfully convicted; I was once accused. And conveniently ignoring the fact that the judge said it time and time again, they only mentioned that “his lawyer says he is innocent.”

They had asked me for a quote but refused to print it: “After seventeen years the American government finally decided to do the right thing after exhausting all other options.” Instead, it was reduced to some dry backup that I gave my lawyer in case they didn’t appreciate my wit.

There was a stopover at Doha airport where I felt alien being among the public. Then it was time to get back on the plane. When we entered Pakistani airspace and flew over the city of Karachi where I grew up, I felt how much time had been irreversibly lost before I was able to return. So much time that I was not coming back to Karachi because my family had to move to a different town.

After touchdown, I expected government officials waiting at the door, but I saw nobody. It was pretty anticlimactic. When I stood in line at immigration, they saw some blank spaces in my travel document and told me to report to their office. They were suspicious that I wasn’t really a Pakistani citizen. Of all the things I expected upon arrival I didn’t expect them to have no idea who I was. There was talk about not letting me into the country. Were they going to deport me? Where were those intelligence guys who were supposed to debrief me?

I remembered the date my last passport was issued, and an official told me he would check the storage files when he was done with everyone else. This could be a while. Eventually someone brought my suitcase and I tried to get comfortable. When I last spoke to Ramzi I told him not to tell my family that I was getting on the plane. I didn’t know how long the debriefing would last and didn’t want to worry anyone. So, I was sitting there thinking at least no one knew I was at the airport otherwise they’d be worried.

A couple of hours later someone ran into the office with panic written across his face and asked if there was an Uzair Paracha in the room. Yes. He wanted me to come with him, but the immigration officer stopped me. The guy was an airport official and told the immigration officer that my mother was raising hell in his boss's office outside. Asian parents. God bless them.

What was my mother doing there? How did she find out? The airport official pleaded with the immigration guy to at least let him show my face to my mother to calm her down, but they wouldn't budge. So, he called his boss and put me on the phone with my mother. I asked her how she found out. RAMZI! I didn't know if I should have been angry or grateful.

I didn't know that as soon as MDC filled out my release paperwork, everyone on my prison email list got a message that I was no longer in the BOP. Over the week my mother was debating about attending a wedding in another town, but after all the delays she didn't expect me to show up that weekend. That's when my aunt called her at the wedding and told her Elvis had left the building. Ramzi gave her my flight details. As soon as my mother found out she rushed back in the middle of the night. When I sounded surprised, she told me that both my sisters were also at the airport. My mother asked me if they were giving me a hard time and I admitted that they were. She told me if I wasn't out in five minutes, she was going to raise hell. I told her to make it ten. I also found out about my welcoming committee. While I was on the plane my lawyer told the consulate that I was going to be kept for debriefing for a few days. They told their bosses. The bosses gave orders that I was an innocent man and that they were to leave me alone.

The airport official asked the immigration guy what he needed. A copy of my old passport. The airport guy told his boss, who told my sister, who told Ramzi, who sent a WhatsApp image to the airport official, who showed it to the immigration officer, who decided it was enough proof to let me go.

As soon as I came out of the terminal my eyes fell on the most beautiful sight. My sisters. They walked up to me and after quick hugs they needed to get me to the airport official's office, where my mother was busy making them regret their existence because she hadn't seen her son yet. My sisters

wanted me to meet her in the office so that we had some privacy. As soon as she saw me, partly from the weakness of age and partly from the emotions she was going through, she stood slowly. She kept saying, “My son, my son,” as she reached for me, and I let her hold on as long as she wanted to.

I needed a proper hug before we got in the car. Phone calls were coming in from all the relatives to speak to me and find out for themselves that I was indeed back home at long last. My brother was supposed to fly into town the next day—there are no words to describe the memory of how he trembled when I finally held him.

In less than a week most of the world would start locking down to prevent the spread of the pandemic. We would be stuck at home ourselves, the lockdown experience being very familiar to me. But for now, it was all so wonderfully unexpected that I was just trying to enjoy every moment.

My father’s lawyer shared some messages between her and someone who was a part of the CLEAR project when they got confirmation that I made it home:

> Him: I still have no words. I can’t count the hours over the dinner tables trying to delicately prepare everyone for the worst without crushing hope. And then the best happened. This is probably the first time I’ve used the word miracle in every message.
> Her: It’s an incredible outcome. He dug his heels and it completely paid off. I’m over the moon for him dude.
> Him: Right????? Man was right the whole time, whole way, he held firm. Family begging, and he’s like no. God it’s such a story that all lawyers need to heed.
> Her: Their lives, their decision, and no, you don’t fucking know best.
> Him: You give them your silly info and step off.

She also sent a message to my brother:

You don’t need my obvious reflections, but I just keep thinking about how wrong we all were at every step. Man knew what he wanted and made it happen. Every lawyer and loved one begged him to plead, including my bestie Ramzi. And had he done so, life would be a good deal harder now, to be fair.

Uzair worked the system in ways we didn’t consider possible. I know that sounds ultra-laudatory, but I’m really not one to lay down false praise. The legal roller coaster and being so brave as to choose his integrity over what everyone insisted was self-interest ... that, just that is book material.

Do you know how many of my clients face the same “terrorism” charges, look at the conviction rate, and regardless of guilt, of mental capacity, of a history of physical or emotional abuse, etc. plead guilty because they’re staring down the barrel of the entire national security apparatus and they’re being told to save themselves.

I am just still in a state of awe. You need to give him a very serious nod from me. My 18 year old client in Chicago is likely going to serve out his 30 years for being tricked into doing nothing and your man’s story is nothing short of inspirational.

* Benjamin Weiser, “Once-Accused Al Qaeda Sympathizer Goes Home,” *New York Times*, March 16, 2020, print ed. March 18, 2020.

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In late October 2020, my father had his first Periodic Review Board (PRB) hearing after my release. Before the hearing, he showed his lawyers a statement he had prepared for the hearing. The lawyers went through it and strongly advised him against it. But he had already made up his mind, and after my own stunt the lawyers were willing to give more benefit of doubt to such risky moves and wondered if I was the inspiration behind it.

After the hearing he wrote me a letter to tell me about a dream he had during the early years of his detention. He was free-falling from a very high place, but I caught him and saved him just before he hit the ground. He wrote that when he was going to his PRB hearing he was thinking about that dream.

My father said his piece. The lawyers emphasized that his son just had his charges against him completely dropped and was sent home an innocent man. Someone from the Department of Justice showed up to muddy those waters but he wasn't allowed to speak at the hearing, and within a couple of months my father was cleared at the first level for the very first time.

I had a feeling that this was the process that would lead to his release. By May 17, 2021, I found out that he was cleared all the way, and I got a message from my lawyer, "You were a huge part of that Uzair. The outcome in your case, what you achieved, really set the stage for this big step forward in your dad's case." It meant a lot to hear that from someone else.

As we waited for news of his release, days turned into weeks, weeks into months and there was just no update on his return. His lawyers were trying different things but none of them seemed to work. There was no telling how long they would take, because some detainees got released within days of getting cleared while others were still languishing after several years.

Meanwhile, my own assimilation was a very difficult experience. I had to have my first surgery less than a week after my return, and I went through many doctors, procedures and medicines with very little to no improvement in the multiple medical problems that the BOP neglected when I was there. I was also trying to rediscover who I was. It took twenty-three years for me to learn to become the person I was in 2003, and then I had to relearn my place in a completely new world. By 2020 I knew who I was in the prison context. But then I was thrown into a different world as a completely different person, and I expected it to be a rocky road to discover myself again in yet another context.

Prison had such limited options, and it had been so long, that I didn't know what type of clothes I liked now, what type of food I would prefer and what my tastes and preferences would be in pretty much every decision I needed to make. While in normal life new choices and changes happen a little bit at a time, I was confronted with all my choices at the same time. In that sense the pandemic lockdown was a blessing in disguise, because it bought me some time and allowed me to return under the radar, as the virus was all that anyone was talking about.

It felt like I had six radio stations all running in my head at the same time. Too many voices, too many colors, too many choices, too much for me to process while I kept tripping during my baby steps back to a life of freedom.

There is a saying that a lie can travel halfway around the world while the truth is still putting its shoes on. The speed, loudness and confidence with which misinformation about us spreads and becomes deeply embedded in the collective consciousness of the world cannot not be undone with a simple *nolle*. I was finding it impossible to find a decent job and it weighed heavily that I was right in my pessimism, even thirty months after coming back. In prison I had been around people from all walks of life. I read many books, I had been in many extreme situations, and I had learned a lot about life. But my experiences were not the type that could decorate a typical résumé.

In late 2021, a Pakistani senator named Mushtaq Ahmed spoke about my father's continued detention at Guantanamo Bay, and my brother reached out to him. They invited my brother to speak to a few senators to garner support and apply pressure through diplomatic channels.

It was the last week of October 2022. My brother got a message from our father's lawyers that it was possible he was going to be home soon. They made similar predictions before, but they seemed more confident this time. It was the evening of Friday the 28th when I was sitting with an old friend in his clothing store. I had already moved back to my hometown of Karachi after a year in Lahore. We were sitting in his shop when I got a call from a number I didn't recognize. I excused myself and walked out of the building for better reception.

The caller confirmed my name and introduced himself as an immigration officer. He wanted to inform me that my father would be returning to Pakistan in the near future. He would be brought to the capital, Islamabad, and they wanted me to be there when he arrived. I saw no need for a family member to fly to another city just to bring him back. I know this sounds strange, but it's hard to explain to normal people how unsentimental your prison experience makes you. The circumstances of our incarceration harden us and we become a little too practical about things. I was thinking he was going to be home in a couple of hours anyway and so why spend all this money I didn't have, even if I wasn't thinking about the security concerns. I suggested that he contact some Pakistani lawyers who would be more useful to my father and the officials.

I called my brother and let him know: This time it was real. He spoke to one of the American lawyers, who suggested that it would be better if a family member went. My brother wanted to go but he had classes over the weekend and there was no telling how long this was going to take, plus he had work on the Monday. While I was used to dealing with antagonistic people in power, I also didn't want to expose the rest of my family to any such complications.

I suggested I should go while he got things ready where we were staying. I called the number back, told the officer we were advised to show

up and asked what time should I catch the plane. He suggested I try to get there by 5.00 am. I was stunned. Here I was thinking of catching an afternoon flight to go wait for him for a few hours or days, but according to this guy my father was already airborne and supposed to land at an air force base by 5.00 am.

I rushed over to a travel agent and booked the first flight to Islamabad, which was due to leave at 5.00 am. After a few minutes of savoring the news all alone, at exactly 9.22 pm I put a message on a couple of WhatsApp groups shared by the relatives. “This is Uzair. Abbu might be in Pakistan in a few hours.” Then I called a couple of my closer relatives to share some details. My own family already knew.

Our phones started ringing nonstop as the news spread throughout the extended family like wildfire. I took some calls, but I had to prepare for my trip by packing a small bag and getting plenty of cash to buy tickets for our flight back. I was used to sleeping late and was buzzed up on top of that, so I only slept for an hour when my alarm rang. After a quick shower, I was driving to the airport when the immigration officer called to tell me that my father had landed and wanted to make sure I was coming.

I parked the car at the airport and was waiting to board the plane when I called my mother. I needed her to be completely updated just in case. As soon as the plane landed, I called the officer who told me they were at Islamabad airport waiting for me.

I rushed through the arrival lounge and saw my father in the flesh for the first time in almost twenty years. And what was the first thing he said as soon as he saw me walking towards him? “I had to receive you, my dear!” After a quick hug, I had to sit with the officers to fill out some forms and answer some basic questions. They were officially giving me custody of him. As soon as we were done, they asked us when we wanted to travel back. I asked my father if he was tired and he told me he slept throughout the flight. Wasn’t that nice to hear when you’re ready to pass out because you’ve slept for an hour the whole night?! I told them we wanted to leave ASAP and one of the officers rushed me to a ticket counter to get seats on a flight that was already boarding. We met my father at baggage check-in and

the airline was trying to refuse all the excess luggage he had. There were so many papers and—was that a body bag? Okay, it also had papers, but it was as big as a body bag. The officers talked to the airline staff to allow his excess baggage and we were soon in the air.

When I politely refused the air hostess's breakfast offer, I felt my father poking my side to take the tray so he could have an extra. We landed, and I grabbed the car I had left at the airport just a few hours ago. One of our relatives, who had always tried to be there for my family in our absence, wasn't feeling well and asked if we could visit him. But first my father wanted to see my brother before his class. The only landmark we could think of was a McDonald's, and so I parked the car while my father went inside to find my brother.

When I got inside, I saw my brother just staring at our father with a small smile and stunned silence. I asked him, "What? Feeling weird that there isn't a screen in between?" His answer was a simple "Yes," while he continued to stare. My brother took a photo of our father and sent it to his American lawyer, and within a couple of hours my lawyers and relatives were sending us congratulations with the same question, "McDonald's?" The lawyers had sent the photo to the *New York Times*, which quickly released an article about his release, with the crucial detail of a Guantanamo Bay detainee visiting a McDonald's immediately after his release. I was tired and we had a lot on our minds.

My phone must have frozen almost twenty times from all the spyware trying to find room in there like a clown car. From McDonald's we were supposed to visit our relative. My brother was in no mood to go to class, and so we all went together. It was a reunion full of joy upon a long-awaited return hushed by the heavy-hearted lament of what had been lost in the time in between—just about everything.

Relatives started pouring in, videos and photos were being uploaded, and phone after phone was ringing to hear his voice. Eventually we were able to excuse ourselves, as he wanted to visit my grandmother's grave. My father had lost his dad when he was just a baby and his mother when he was still a kid, so he developed a close bond with his mother-in-law, who passed

away right after my trial. We never had the chance to say goodbye and he wanted to pay his respects. Then he wanted to visit the widow of one of his brothers who died while my father was in Guantanamo. He actually lost two sisters and three brothers and several other relatives while he was in detention, but this brother's family was in Karachi.

Then, finally, it was time to go home. We were staying with a relative because we couldn't afford a place of our own yet. Once I was venting about the mountain of problems I was facing when a friend of mine matter-of-factly said that it could only get better once we had returned. And that's exactly what just happened.

This long tribulation left deep, permanent scars on my life and those closest to my heart. But I had come across something in the last few days before my release that gave me fortitude, a quote from E. M. Forster: "We must be willing to get rid of the life we've planned, so as to have the life that is waiting for us."*

* E. M. Forster, “What I Believe,” in *Abinger Harvest* (London: Edward Arnold Ltd., 1936), p. 77.

Afterword: Uzair Paracha—A Contemporary John Proctor

Asim Qureshi

In December 2005 I was in Karachi for my cousin's wedding. I had been researching political detentions and kidnappings for the advocacy organization CAGE International for over a year but had only recently accepted a full-time role with the organization. Until that time, I had been conducting most of my research and interviews through email or phone calls, and so was still very untested in the field. Since I was in Karachi, I found myself nervously taking the lift up an office block to meet the mother of Uzair Paracha and wife of Saifullah Paracha. This would be the very first interview I would ever conduct in person—the first of hundreds over the last twenty years.

Uzair and I are close in age, and although he looks significantly younger he was only born a couple of years before me. Our fathers are a similar age, and I couldn't shake how easily a turn of fate could have made his story my own. On entering the office of Uzair's mother, Farhat, the similarities became even more stark, as I thought of how much this woman looked like my own mother. Farhat Aunty offered me tea and some snacks, which I graciously accepted. She was familiar with the work of CAGE as she had been using our website as a means of tracking information and developments in the War on Terror—whether in relation to the cases involving her son on the US mainland or those relating to her husband at Guantanamo Bay.

Although Farhat Aunty had not traveled to the US for the trial, she had a forensic knowledge of the cases of both husband and son. She had been reading absolutely everything she could and been reliant on family, friends and the lawyers to keep her informed of developments. Uzair had only

recently been convicted, and the hurt of his loss was still very much on her mind. She cried multiple times during our conversation as she repeated how she could not possibly understand why he refused to take a plea deal. She told me about the girl he intended to marry, and the extent to which Uzair was an American boy—in some ways more than Americans were themselves—who genuinely believed in their system. Even now, without accessing my notes, I am able to recall that interview as if it were yesterday. How was this young man, so far removed from the world of terrorism, now convicted of a terrorist offense?

What I had not been prepared for was the former Pakistani intelligence agent Khalid Khawaja to enter the room. He introduced himself as a friend of the family who was helping them with their business interests, and we exchanged details. Farhat Aunty was clearly exhausted from everything she was trying to deal with. She had to worry about and campaign for two loved ones detained in two completely different legal regimes, raise her remaining three children and keep her husband's multiple businesses afloat. If well-meaning people entered that environment, then surely that should be welcomed? Over the years that I would meet with the family, it became increasingly clear Khawaja was only involved to steal the Parachas' wealth, hoarding their father's businesses for himself, and ultimately running them all into the ground through his consistent theft.

What the Parachas experienced collectively as a family cannot be quantified. Saifullah and Uzair were detained and had their lives taken away from them in a way that can never be restituted, because returning to "normality" after such a long period of detention brings entirely new traumas. The family were forced to change their entire lives, with Uzair's sisters and brother having to grow up in a world that was parallel but separate to their peers in school and university.

In Uzair's account, there might be those who would criticize him. Why not accept the plea deal and come home? I thought about this myself after having met the family on numerous occasions in Pakistan, and then again more recently after multiple readings of the book. After all, before my two friends Babar Ahmad and Talha Ahsan were extradited to the US to face

charges of terrorism, during my last prison visit I advised them that when one is facing charges in the US, you do not fight, you take a plea deal and come home. It isn't a system that is designed to find the truth—only to prosecute severely. In their case, that's exactly what happened, and a miraculous judgment in their sentencing meant that they both came home much sooner than anyone could have anticipated—free to make lives for themselves. It's quite possible that had Uzair leveraged the plea more, he could have been home significantly sooner—soon enough to help his family.

To ask that question, though, is to fundamentally misunderstand who Uzair is as a person and what drove him to take such a dangerous route. As I read the passages about the pressure he was under to take a plea deal, I couldn't help but think of the character of John Proctor from Arthur Miller's play *The Crucible*. Based loosely on the Salem witch trials and as a critique of McCarthyism, pressure is placed on Proctor to admit his role in sorcery—that by signing his name in admittance, he can save his own life. The system of mass incarceration in the US has very much operated akin to an industrial Salem witch trial, one in which the specter of criminality is reinforced by the sheer volume of plea deals that prosecutors are able to secure—cases within the context of the global War on Terror being the apogee of such plea agreements. Uzair might not have been the most observant of Muslims before his arrest and charge, much like the failed Christian John Proctor, but they both share a fundamental truth of themselves—that all they have in life is their name. As Proctor exclaims before his prosecutors and executioners:

> Because it is my name! Because I cannot have another in my life! Because I lie and sign myself to lies! Because I am not worth the dust on the feet of them that hang! How may I live without my name? I have given you my soul; leave me my name!*

When former US President George W. Bush heralded the global War on Terror in an address to Congress and the American people on September 20,

2001, he did so with the now famous Manichean statement, “Either you are with us, or you are with the terrorists.” This one sentence set off a cascade of events that resulted in thousands of abuses of power and injustice—a witch hunt of terrorists that was both domestic and global, that involved everyone from the National Security Agency, through to the CIA, the FBI and police departments, to your everyday American—vigilant of anyone they thought looked funny or suspicious. Counter-terrorism became a banal activity—one that required taking sides at all times—usually against Black and Brown people. Eerily, Bush’s statement seemed to replicate the words of the chief inquisitor, Danforth, in Miller’s play:

> You must understand, sir, that a person is either with this court or he must be counted against it, there be no road between. This is a sharp time, now, a precise time—we live no longer in the dusky afternoon when evil mixed itself with good and befuddled the world.*

The hunting of communists and “subversives” by Senator Joseph R. McCarthy during the Cold War led to the persecution of dozens of Americans as he presided over a congressional process to root out “reds.” This was a continuation of the work that began with the House of Un-American Activities Committee—a congressional body that subpoenaed and convicted Arthur Miller in 1956 of refusing to give up the names of communist sympathizers in the writing community. Today, the specter of McCarthyism is still alive as pro-Palestine students in the US have been detained by Immigration and Customs Enforcement (ICE). In May 2025, the Palestinian Columbia University student and green card holder Mohsen Mahdawi was released from immigration detention after an order by Judge Geoffrey W. Crawford, who used his judgment to critique the activities of the US government:

> The court ... considers the extraordinary setting of this case and others like it. Legal residents—not charged with crimes or misconduct—are being arrested and threatened with deportation for stating their views on

> the political issues of the day. Our nation has seen times like this before, especially during the Red Scare and Palmer Raids of 1919–1920 that led to the deportation of hundreds of people suspected of anarchist or communist views.*

Where does that leave the accused in a system that is not only industrial in its scale of suspicion but also banal in the everyday thoughts and activities of the common person—the reasonable juror who would determine guilt and innocence? The received wisdom of all the lawyers, all the family, all the friends and all the prisoners was that you accept the system of violence for what it is, and you take the plea and go home. What is the point of fighting a structure of violence that is too brutal, too hegemonic, to truly defeat?

Before we had the chance to meet in person, Uzair and I began to get acquainted over the phone after we were connected by our mutual friend Dr. Kate Porterfield. By chance, I was working on interviews for my book *When Only God Can See: The Faith of Muslim Political Prisoners* with my co-author, and so mentioning it to Uzair, I began to interview him for material I could use. Those conversations were the first time I truly began to appreciate the depth of commitment that Uzair has, not only to his own sense of personal dignity but also to a sense of honor he wants to feel before his Lord. It motivated him in a way that I had encountered only a few times among prisoners—a deep and abiding sense of their own innocence—one that would never let them countenance giving ground to what police officers, prosecutors, judges or juries may decide about them. Uzair had made a pact with God that whatever the outcome, he would never lie about himself by accepting a plea agreement. It was a pact that was tested to its very limit, but one that resulted in him seeing the very result he had longed for from the beginning— his complete exoneration. Further, it was the pact with God that carried the blessing of being instrumental in his father's release.

As lawyers, activists and researchers, we understand systems and structures of violence within carceral states as an edifice that requires

navigating—and even a complicity of sorts. We know that the laws are wrongminded. We know that the structure of prosecution, of gathering evidence, of endemic discrimination, of jury bias, are all part of a system that is geared towards overcriminalization and harsh sentencing. We see a client before us, and we say to them: Get the best outcome for yourself—even if it means upholding a system of injustice—because you preserving your life and being with your family is the most important thing. It was advice that was given to Uzair at all times. Where he differs from us is that he refused to be complicit in his own oppression—and that is one of the most important lessons we can take from this story, especially if we want to understand how we might change the system itself forever.

* Arthur Miller, *The Crucible* (London: Penguin Random House, 2015), p. 124.

* Arthur Miller, *The Crucible* (London: Penguin Random House, 2015), p. 85.

* Andrew R. Arthur, “Federal Judge in Vermont Orders Palestinian Green Card Holder Released,” *Center for Immigration Studies*, https://cis.org/Arthur/Federal-Judge-Vermont-Orders-Palestinian-Green-Card-Holder-Released, May 5, 2025.

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